SASKATCHEWAN

advocate

a Voice for Children and Youth

2015 ANNUAL REPORT

Letter of Transmittal

SASKATCHEWAN advocate
a Voice For Children and Youth

Letter of Transmittal

April 27, 2016

The Honourable Dan D'Autremont
Speaker of the Legislative Assembly
Legislative Building
2405 Legislative Drive
Regina SK.S4S 0B3

Dear Mr. Speaker:

In accordance with section 39 of *The Advocate for Children* and Youth Act, it is my duty and privilege to submit to you and the members of the Legislative Assembly of Saskatchewan the annual report of the Advocate for Children and Youth for the year 2015.

Respectfully,

Bob Pringle
Advocate for Children and Youth
Province of Saskatchewan

Table of Contents

Message from the **Advocate** 4

Child and Youth Rights:
The Framework Of Our Advocacy 6

Public **Education** 11

Advocacy: **Identifying and Resolving Issues** 13

Investigations: **Recommending Improvements To Services** 19

Focusing on **First Nations and Métis Children and Youth** 23

Addressing Challenges
in Out of Home Care 28

Concerning Conditions
Affecting Youth In Custody 32

Improving Access to
Mental Health Services 35

Youth Transitioning Out of
Government Care 38

Budget and **Staff** 41

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While the Saskatchewan Advocate for Children and Youth's office is in Saskatoon, we deliver programs and services throughout Saskatchewan.

Photography: All photographs are stock photographs using ordinary youth as models unless captions are provided. Photographs that are not stock photographs are courtesy of staff at the Advocate for Children and Youth.

Message from the Advocate

The heart garden featured on the front cover of this report is a symbolic representation to honour children lost in the residential school system and to acknowledge our shared commitment to reconciliation. This is a representation of the way forward toward reconciliation that should embody the transformation. To this end, all children in Saskatchewan and our country will benefit from reconciliation and transformation

Dear Friends,

When I was appointed as Advocate in 2011, I made a commitment to work hard to advance the basic rights for our children and youth and ensure that our service systems respected and incorporated those rights in the programs and services they offered. As I reflect over the past five years, there have been gains in advancing the rights of children and youth, however, in a number of areas we have not improved.

The youngest citizens who access our office every day are the province's most vulnerable. They are either in care of the government or accessing services through a government ministry, delegated First Nations agency, or government funded community organization. The histories of these children and youth often reflect the factors that place them at risk; poverty and its related conditions, mental illness, violence, addictions, racism, and disabilities. The issues these children and youth face are often in violation of their basic rights; the right to be safe and protected, to health care and education and the right to be in, and know, their own culture, in order to reach their full potential and to have their interests and well-being considered at all times. All child serving systems need to place our children and youth at the centre of planning and ensure their full participation to be heard when decisions or actions are made about their lives.

In 2010, the Saskatchewan Child Welfare Review Panel released its report *For the Good of Our Children and Youth* and made 12 recommendations to the government, with the central theme of transforming the child welfare system for better outcomes. The transformation described in the report required that government and stakeholders together deal with the fundamental social, economic and cultural factors driving the need for child welfare services. There was widespread support for the report and its recommendations from government and all stakeholders that had been involved and consulted. In its immediate response to one of the recommendations, government developed the Saskatchewan Child and Youth Agenda; subsequently renamed the Saskatchewan Child and Family Agenda. The goals of the Agenda which are strongly supported by my office are:

- Children get a good start in life
- Youth are prepared for their futures
- Families are supported
- Communities are supportive

The Child Welfare Review panel knew that because of its magnitude, the change envisioned in the Child Welfare Review recommendations would take time and considerable effort of government, community stakeholders, and individuals. I have asked government to broaden the issues, programs and services under the Child and Family Agenda and further break down the ministry and agency silos to realize the potential of this collaborative structure.

The panel felt that there was a compelling need to focus on the Agenda's fourth goal – that communities are supported – as it is essential to the success of the first three goals. The panel viewed this goal as more than a government initiative – one that required a sustainable system of community based approaches, structures and solutions supported by and connected to provincial government strategies. **In other words, there needed to be and still needs to be a broad based framework and mechanism to advance the goals and measure the progress of the Child and Family Agenda.**

In my role as Advocate, I had hoped that the province would have fully implemented a sustainable poverty reduction strategy to address the economic drivers of the child welfare and criminal justice systems; that we would have transformed the child welfare system to better respond to the needs of families prior to crisis, and keep all children and youth in safe and supported homes; and, improved services and outcomes for First Nations and Métis children, youth and their families.

Since 2010, we have continued to advocate for changes and commended the efforts of various ministries of government and First Nations Agencies and community based organizations, as they have taken steps toward achieving the goals of the Child and Family Agenda and improved their services. We made a submission during the consultation phase on amendments to The Child and Family Services Act that called for a focus on prevention as well as protection, providing supports to children and families before their issues reach a crisis level. We supported the Ministry of Social Services in their implementation of Structured Decision Making, an evidence based decision making tool that assists in establishing two streams of prevention and protection in child and family services. We called for the development of prevention programming and other resources, that assist children and youth to be safely supported at home or in their communities.

We also recommended additional support for First Nation Child and Family Services agencies as they work to improve their services. We endorsed expansion of the agreements between the Ministry of Social Services and these Agencies to transfer control of child welfare and preventative family support services to First Nations and

Métis agencies. We are pleased to learn that some First Nations Child and Family Services Agencies obtained accreditation which improved accountability and supported their efforts to secure adequate funding.

We called upon government to develop and implement comprehensive early childhood programming across the province, including programming for Early Childhood Intervention, Fetal Alcohol Spectrum Disorder, KidsFirst, pre-kindergarten and commended the action taken any time additional investments were made in these services. We are pleased that early childhood development is a part of other provincial strategies such as the *Joint Task Force on Improving Education and Employment Outcomes for First Nations and Métis People.*

We profiled the need to improve access to health services, particularly mental health services for children and youth and looked forward to government leading implementation of the recommendations of the *Mental Health and Addictions Action Plan.* We also highlighted programs across the provinces, which are delivered in a collaborative way, to ensure that the rights of children to the highest standard of health and education can be met.

We reported on the government strategy of "Building Partnerships to Reduce Crime" and urged ongoing development of community partnerships that are aimed at reducing crime and other negative social conditions that impact children and youth. We applauded the development of the Counsel for Children as it protects the rights of children and youth to participate and be heard in any child protection hearing.

We were pleased to learn the federal government has appointed a Federal Minister of Families, Children, and Social Development and that the Prime Minister personally is responsible for advancing youth issues. We are hopeful that new principles will be developed for working with the provincial governments to address the disparity of funding for First Nations and Métis children.

In 2015, the "Advisory Group on Poverty Reduction Recommendations for a Poverty Reduction Strategy" released its report. Many of the recommendations reflect the goals articulated in the Saskatchewan Child and Family Agenda and are fundamental to substantive child welfare transformation. However, I am disappointed that the recently released provincial strategy is silent on some of the recommendations that require immediate attention and action, and that the document is vague and lacks target dates, thereby ensuring some important actions will be delayed.

We recognize that there have been improvements in the past five years in the child welfare system in Saskatchewan. We see that improved policies and decision making tools have the capacity to better protect our children and the ministry's efforts to review workloads. More children and youth are being placed with extended family which preserves their cultural heritage. Transfer of control of child welfare services to First Nations Agencies has continued to progress. There has been increased cultural awareness and training and legal representation is now available for children and youth in child protection hearings.

These improvements are commendable, however, many of the issues in child welfare are longstanding and many shortcomings remain. Are we as a province satisfied that two-thirds of Aboriginal children on reserve live in poverty? Can we accept that Saskatchewan has the highest rates of child users of the food banks across Canada? Are we concerned that the number of children in care has increased and the quality of case planning persistently does not meet basic policy standards? Will we permit needed prevention programs or services for children to continue as pilot projects and not be accessible across the province? As the high rate of child apprehensions persist are we comfortable with children and youth being housed in hotels at times or placed in over-crowded homes because of a lack of sufficient resources? Is it acceptable that the quality of care depends on where a child or youth lives, because vital resources for children and youth are lacking in many parts of the province? These are some questions that linger as I depart my role as the Advocate for Children and Youth.

At this point, it appears our vulnerable children are not prioritized in our social and economic policy and resource allocation processes. As a result, their opportunities are compromised, and each of them, along with our community, pays a significant price. Taking urgent action for the rights, interests and well-being of children and youth in our communities, in this province, in this country is long overdue. In Saskatchewan we need to adopt a comprehensive framework to address, measure, and monitor child well-being. Fair and equitable treatment of all children and youth is everyone's responsibility. And we all share in the benefits that result when children and youth are cared for, supported and well prepared to live and fully participate in our community.

The magnitude of the transformation that was envisioned by the Child Welfare Review has not occurred, and appears to be abandoned as a policy and program direction in the province. The Truth and Reconciliation Commission also made 94 'calls to action' with many centred on transforming the child welfare system. The child welfare system, as an extension of the residential school system, is an example of how we still do not meet the needs of First Nations children and our efforts to do so without the transformation will continue to be challenging.

The heart garden featured on the front cover of this report is a symbolic representation to honour children lost in the residential school system and to acknowledge our shared commitment to reconciliation. This is a representation of the way forward toward reconciliation that should embody the transformation. To this end, all children in Saskatchewan and our country will benefit from reconciliation and transformation.

It has been my privilege and honour over the past five years to work on behalf of children, youth and their families of the province of Saskatchewan. I am truly thankful for and humbled by the years of support shown to me and all our staff—by our children, youth and families, by the Members of the Legislative Assembly, First Nations and Métis leadership, ministry and agency managers and staff, community partners, my fellow independent officers, and other provincial Advocates. Their co-operation, assistance and advice have been helpful to me and to the work of our office.

My vision was, and remains, that the basic rights of children and youth are enshrined in legislation and that all child welfare service systems incorporate these rights in their policies and practice. We need to build a successful and sustainable Saskatchewan Child and Family Agenda where all children and youth are valued, respected, and indeed honoured members of our society.

Bob Pringle

Child and Youth Rights: The Framework Of Our Advocacy

Our Vision and Mandate

The Advocate for Children and Youth is an independent officer of the Legislative Assembly of Saskatchewan. The Advocate leads a team of professionals to advocate for the rights, interests, and well-being of children and youth in Saskatchewan.

Our vision is that the rights, interests and well-being of children and youth are honoured, respected and valued in Saskatchewan communities and in government legislation, policy, programs, and practice.

Our mandate is defined by *The Advocate for Children and Youth Act*, interpreted through a child rights lens. We do:

- Advocacy on behalf of children and youth receiving services from a provincial ministry, direct or delegated agency or publicly-funded health entity.
- Investigations into any matter concerning or services provided to children and youth by a provincial ministry, direct or delegated agency or publicly funded health entity.
- Public education to raise awareness of the rights, interests and well-being of children and youth.
- Research on issues affecting children and youth; and we can advise any minister responsible on any matter relating to the rights, interests and well-being of children and youth.

Respecting children's rights is fundamental to ensuring that we live in the kind of just, equitable and free society which we value as Canadians. While we have made considerable strides on some fronts in the past 26 years, we have seriously lost ground on others. Our province and country continue to violate the rights of children and youth regularly

Advancing the Rights of Children and Youth

The Advocate works to advance the rights of children and youth as articulated in the United Nations *Convention on the Rights of the Child*. The *Convention* is an international human rights treaty that sets out the minimum rights and freedoms for children and youth that are to be respected by governments. It was unanimously adopted by the United Nations General Assembly on November 20, 1989. Canada ratified the Convention 24 years ago, on December 13, 1991.

The 54 articles in the *Convention* are often categorized into three areas: *protection* from harm such as abuse and neglect; *provision* of the resources needed to grow and develop, such as food, shelter, education and health care; and *participation* in matters that affect them.

The idea that children have rights is sometimes seen as problematic—rights have often been characterized in our society negatively, viewed as demands for things unearned, rather than as the minimal conditions that must be met for us to live, thrive and develop to our full potential.

Respecting children's rights is fundamental to ensuring that we live in the kind of just, equitable and free society which we value as Canadians. While we have made considerable strides on some fronts in the past 26 years, we have seriously lost ground on others. Our province and country continue to violate the rights of children and youth regularly. We find evidence of these violations in our advocacy and investigations work; where there has been harm and neglect in spite of government intervention; where resources have not been made available when needed and where decisions are made without youth or child participation or without children and youth being at the center of planning about them.

The systemic scope of children's rights violations, and in particular, the impact on First Nations children, is a serious concern. The fact that two-thirds of status First Nations children living on reserve in Saskatchewan are living in poverty [1] is an example of how rights

Saskatchewan Child and Youth First Principles

We believe that all children and youth in Saskatchewan are entitled to:

- Those rights defined by the United Nations *Convention on the Rights of the Child.*
- Participate and be heard before any decision affecting them is made.
- Have their best interests given paramount consideration in any action or decision involving them.
- An equal standard of care, protection and services.
- The highest standard of health and education possible in order to reach their fullest potential.
- Safety and protection from all forms of physical, emotional and sexual harm, while in the care of parents, governments, legal guardians or any person.
- Be treated as the primary client, and at the centre, of all child and youth serving systems.
- Have consideration given to the importance of their unique life history and spiritual traditions and practices, in accordance with their stated views and preferences.

are not being respected and systems are failing our children. At minimum, children and youth living in poverty lack the resources to develop to their full potential but often are at risk, or have already experienced serious harm.

Although the *Convention's* articles set out the minimum rights and freedoms for children and youth, meeting these minimums is not enough. We must set a higher standard. We will continue to urge our government to establish priorities, set targets and make investments that will respect children's rights and improve their living conditions and opportunities.

Our Operational and Guiding Principles

Our Operational Principles, the Saskatchewan Children and Youth First Principles, and the *Touchstones of Hope*, are foundations that guide our work.

Our Operational Principles state that employees of the Advocate will:

- Act in accordance with *The Advocate for Children and Youth Act*.
- Give priority to children and youth in all activities we undertake.
- Deliver services that are respectful, appropriate, accessible, accountable, timely, lawful and consistent, irrespective of the child or youth's location, circumstances, culture or background.
- Respect the right to privacy of the child or youth, as well as of all other parties involved in the advocacy process.
- Provide services that are consistent with principles of administrative fairness.
- Act in accordance with the Advocate for Children and Youth *Code of Conduct*.

The *Saskatchewan Children and Youth First Principles* were developed by the Advocate based on the United Nations *Convention on the Rights of the Child*. In a letter from the Premier, the Government of Saskatchewan adopted these principles in February 2009 as part of their commitment to child welfare transformation. [2]

We use the *Saskatchewan Children and Youth First Principles* as a framework to advocate with and for children and youth, ensuring that they get the government services to which they are entitled, and that these services are delivered in a respectful way, valuing the opinions and preferences of children and youth. We promote their adoption by service providers to inform and guide them about protecting the rights of children in their programs. We strive to hold government accountable for implementation of these principles in the design and delivery of their policies and programs.

The *Touchstones of Hope* principles are meant to be interpreted within distinct cultures and contexts of Aboriginal communities according to a four- stage reconciliation process:

Relating: Working respectfully together to design, implement and monitor the new child welfare system.

Restoring: Doing what we can to redress the harm and making changes to ensure it does not happen again.

Truth Telling: Telling the story of child welfare as it has affected Indigenous children, youth and families.

Acknowledging: Learning from the past, seeing one another with new understanding, and recognizing the need to move forward on a new path.

The principles of the *Touchstones of Hope for Indigenous Children, Youth and Families* were developed using a collaborative process with many families and leaders in child welfare, facilitated by the First Nations Family and Caring Society of Canada in 2005. The guiding principles are: self-determination, as Indigenous people are in the best position to make decisions that affect their children, families and communities; valuing and honouring Indigenous cultures and languages; taking a holistic approach to relate to the whole child; using structural interventions to address risk for children and youth; and non-discrimination to ensure that Indigenous children and youth have the same access to services as non-Indigenous children.

The Advocate for Children and Youth adopted the *Touchstones* as part of our guiding principles when promoting child welfare system change and working with First Nations children, youth and families. We work to advance the use of these principles and the reconciliation process by all child and youth serving ministries. We also take steps to educate ourselves, government and the public about the importance of these principles in transforming the child welfare system.

1. Canadian Centres for Policy Alternatives/Save the Children. Poverty or Prosperity: Indigenous Children in Canada. June 2013. P. 10 Available at: https://www.policyalternatives.ca/publications/reports/poverty-or-properity

2. Government of Saskatchewan. Putting children first: province takes action on child welfare [Press release]. February 25, 2009. Available at: http://www.gov.sk.ca/news?newsId=308e1b59-17ef-47b0-98f1-086003a17fd0

A Promising Model to Support Families and Measure Outcomes

The Healthy Families Initiative is a new pilot project to support up to ten families who are highly dependent upon multiple services and programs. The program will use a practice model of engagement, relationship building and case planning where families who volunteer for services are placed at the center of practice. The program will be evaluated using outcome measures such as school attendance, reductions in incidences of abuse or violence, increase skills in managing health or addictions and connections to housing supports.

The program was developed by a multi-disciplinary team comprised of the Ministries of Justice (Corrections and Policing), Social Services, Health and Education. It will be delivered by a community based organization to families in Regina in the coming two years.

Measuring Progress

To achieve our vision that all government and communities honour, value and respect the rights, interests and well-being of children and youth, the Advocate undertakes regular strategic planning. Our current plan for 2016-2018 has five goals, with key strategies to achieve these goals:

- Advocate for social and public policy change that benefits all children and youth;
- Promote high quality government and community-based programs and services for children and youth;
- Strengthen collaboration and partnerships to achieve better outcomes for children and youth;
- Promote and foster the children's and youth's voice – the right to be heard; and
- Deliver high quality and accountable services.

The Advocate's annual report, special investigation reports, public presentations, media interviews, and activity on social media all provide ways in which we report on the state of provincial government services for children, youth and their families. Through formal recommendations and by providing ongoing advice and consultation, the Advocate advances the rights, interests and well-being of children and youth.

The Advocate also reports on strategies that the provincial government has developed which, if enacted, should lead to improved outcomes for children and youth. One major initiative established in 2011, following the release of the independent *Child Welfare Review*, is the *Saskatchewan Child and Family Agenda*. The Advocate had anticipated that this Agenda, with its goals to better support children, youth, families and communities would provide a comprehensive framework for an inter-ministerial approach to measure progress toward these goals. However, the Agenda has never been operationalized in the manner in which it was envisioned, and, in fact, appears to have somewhat dissipated. In the last eighteen months, we have observed a waning commitment to the Agenda by the provincial government, and are troubled that this trend may continue going forward. Furthermore, from its beginning, those outside government have had minimal awareness or engagement in the Agenda. At this point, it seems unlikely that the Agenda will be the catalyst for driving the changes required to move toward transformation of the child welfare system.

The provincial government has released a number of other strategies including the *Joint Task Force on Improving Education and Employment Outcomes for First Nations and Métis People* (2013), the *Action Plan to address Bullying and Cyberbullying* (2013), and the *Mental Health and Addictions Action Plan* over the past three years. While some excellent programs have been developed to address bullying and cyberbullying in our schools and communities, much more work is needed to implement all of these strategies and measure the outcomes they may produce to improve the lives of children and youth.

In 2015, the Government of Saskatchewan established an Advisory Group on Poverty Reduction. As part of its recommendations, released in August 2015 [3], the advisory group urged the provincial government to implement recommendations from other strategies, reports and task forces to reduce poverty.

The advisory group recommended six areas for initial focus in reducing poverty: income security; housing and homelessness; early childhood development; education and training; employment; and health and food security. The provincial government responded in February 2016, with its Poverty Reduction Strategy that includes some short term actions and future directions related to the six pillars listed above. While this may be encouraging, the strategy lacks specific target dates and areas that require immediate need are ignored. This lack of commitment is deeply troubling considering the impact of poverty on families and children in Saskatchewan, and that poverty is even more pronounced for First Nations children. The research paper prepared for the advisory group found "By all measures of socio-economic determinants, Aboriginal people (adults and children) trail the rest of Saskatchewan and Canada in family income, educational attainment, infant mortality, health, suicide, unemployment, social assistance dependence and homelessness." [4]

While the above strategy components may lead to improved outcomes, the number of children living in poverty, the insufficient support to families to prevent them from coming into the child welfare and justice systems and the lack of a comprehensive framework to measure child well being is deeply concerning. Measuring, monitoring and regularly reporting will demonstrate how investments in children, youth and families are working.

Ensuring that children are safe, healthy, get a good start early in life, and have the supports and services required allowing children and youth to reach their full potential, is fundamental to upholding their rights. Further, government investments on family support and early childhood programs benefit society as a whole, and are the most cost effective way to reduce poverty, encourage economic growth, and build strong and supportive communities. [5]

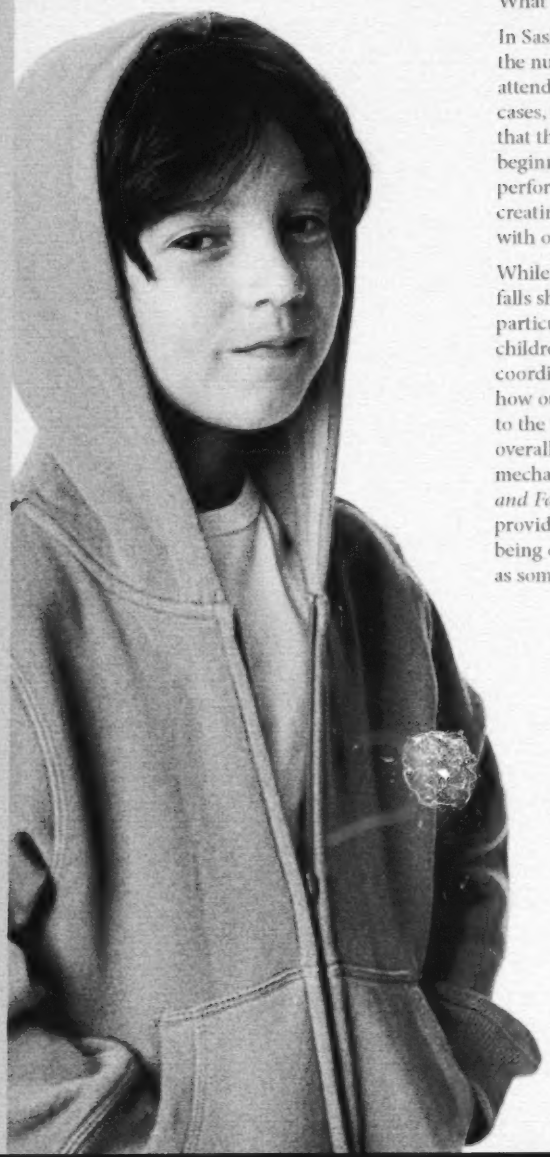
Ensuring that children are safe, healthy, get a good start early in life, and have the supports and services required allowing children and youth to reach their full potential, is fundamental to upholding their rights

3. Advisory Group on Poverty Reduction. Recommendations for a Provincial Poverty Reduction Strategy, August 2015. Available from: https://www.saskatchewan.ca/government/news-and-media/2015/august/24/poverty-reduction-strategy

4. Poverty Reduction in Saskatchewan; Background and Context. Research Paper Prepared for the Advisory Group on Poverty Reduction. Available from: http://publications.gov.sk.ca/documents/17/84792-Saskatchewan's%20Approach%20to%20Poverty%20Reduction%20Research%20Paper.pdf

5. Boivin, Michel, & Hertzman, Clyde. (Eds.). (2012). Early Childhood Development: adverse experiences and developmental health. Royal Society of Canada - Canadian Academy of Health Sciences Expert Panel (with Ronald Barr, Thomas Boyce, Alison Fleming, Harriet MacMillan, Candice Odgers, Marla Sokolowski, & Nico Trocmé). Ottawa, ON: Royal Society of Canada. Available from: https://rsc-src.ca/sites/default/files/pdf/ECD%20Report_0.pdf

Measuring progress - or the lack of it - in the well-being of children is essential to policy-making, to the cost-effective allocation of limited resources and to transparency and accountability



In 2015, the Ministry of Social Services hosted a presentation from the Annie E. Casey Foundation, [6] which focused on the importance of outcome measurement in child welfare. This presentation was by special invitation to the Deputy Ministers and their officials, the Advocate, and other officials or decision makers who serve children, to learn and engage in dialogue about the benefits of outcome measures. The Foundation is a private philanthropy, whose philosophy is dedicated to the goal that all children in the United States have a bright future and the belief that the only way to improve outcomes is to measure progress. In their work with child welfare organizations in the United States, the Foundation aims to instill a commitment to tracking child and family outcomes and tie agency success to measuring how children and families fare. The Foundation focuses their research efforts on using processes and metrics that can help answer the following key questions: How much did we do? How well did we do it? What difference did it make?

In Saskatchewan, the government reports on the number of programs offered, how many attend, how much they cost, and in some cases, how well they work. It is encouraging that the Ministry of Social Services is beginning to develop outcome-based performance measures for their programs and creating data sharing partnerships externally with other ministries to create metrics.

While these efforts are noted, the province falls short in determining what difference particular programs make in the lives of children and families, and we have no clear, coordinated and systematic measures of how our service systems are contributing to the well-being of our children and youth overall. What is lacking is an inter-ministerial mechanism, such as the *Saskatchewan Child and Family Agenda*, to enable the province to provide a report card on the state of well-being of children and youth and their families, as some other jurisdictions have done.

UNICEF has developed an Index of Child Well-Being in Rich Countries which includes data on 29 countries, including Canada, releasing reports in 2007 and 2013. In 2013 UNICEF Canada portrayed Canada as "stuck in the middle", ranking 17th out of 29 countries, a ranking that had not changed significantly since 2007. Of this, UNICEF Canada said:

"That Canada can do better is evident in the contrast to similar nations, many of whom have fewer economic resources and fell deeper into recession. The well-being of children is a shared responsibility among families, communities and public institutions, but all of the well-being indicators in the Report Card are influenced by policy choices. Addressing child poverty in Canada will go a long way to improving the well-being of children in Canada in all areas – improving family and peer relationships and health and education, and decreasing risky behaviour.

Measuring progress - or the lack of it - in the well-being of children is essential to policy-making, to the cost-effective allocation of limited resources and to transparency and accountability. We have to do a better job of keeping our eyes on our children. Canada needs a regular state of the children report that measures a range of indicators across the conditions for good childhood, and presents the data and analysis clearly and regularly for public monitoring and debate." [7]

In 2014, UNICEF Canada embarked on a project to develop a national observatory for measuring and reporting on child and youth well-being in Canada. The Advocate has participated in several discussions on this project and has pressed for outcome measures at both a provincial and national level.

Reviving and renewing our commitment to implementing the *Saskatchewan Child and Family Agenda* must be made a priority to "keep our eyes on our children and youth" and measure the progress being made to protect their rights and well-being. Outcome measures that are tied to the Agenda will allow us to track progress and make adjustments that may be needed in programs and services for the benefit of all Saskatchewan children and families. The government made a significant investment when the Agenda was developed. Allowing the Agenda to languish is a loss of this investment and a lost opportunity to protect and enhance the lives our children and youth.

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6. Information about the Annie E. Casey Foundation is available at: http://www.aecf.org/

7. UNICEF Canada. Child Well-Being in Rich Countries: A Comparative Overview. April 2013. Available online at: http://www.unicef.ca/en/article/child-well-being-in-rich-countries-a-comparative-overview

Public Education

Public education to raise awareness of the rights, interests and well-being of children and youth is a key part of the Advocate's mandate. At the forefront, our Public Education program raises awareness of our advocacy services for children and youth, to them about their rights and to engage children and youth in the activities of the office. We also place priority on providing education on the human rights of children and youth as outlined in the *Convention* to professionals employed by Saskatchewan's child-serving ministries and agencies.

Truth and Reconciliation Commission Event. Saskatoon, SK - June 2015

Eagle's Nest River Run. North Battleford, SK - May 2015

National Child Day The Advocate presentation at the Children's Discovery Museum "The Right to Play". Saskatoon, SK - November 2015

Making a "heart garden" with children at Children's Haven. Prince Albert, SK - June 2015

Public education is important because:

- Canada and its provinces are legally obligated to implement the *Convention*, and that includes making sure adults who work with and for children and youth are aware of it.
- Knowledge of the Convention provides a very effective tool and framework for problem solving and program evaluation, and helps debunk the myths that rights are 'privileges' rather than fundamental human 'entitlements.'
- When adults model and respect rights, children and youth become more respectful of each other and of adults; and they become empowered to advocate for themselves and their peers.
- An understanding of youth and children's rights, as set out in the *Convention*, is even more important in Saskatchewan, where there are no codified rights and entitlements set out in provincial child welfare legislation.

Educating children, youth, and the adults who work with them about their rights as outlined in the *Convention* increases their awareness and understanding of these rights. It holds us all accountable for the protection of these rights.

In 2015, the Advocate had speaking engagements at a number of events with diverse organizations, including the First Nations Family Support Working Group Annual Caregivers Conference, Canadian School Boards Association National Congress, Nurturing Minds and Bodies in the Early Years Conference, Rise Up Against Domestic Violence event, and the University of Saskatchewan's Department of Pediatrics Grand Rounds.

Our office conducted numerous presentations about children's rights and the mandate of our office, and attended public relations events. We engaged children and youth across the province through a variety of forums, including schools, conferences, group homes, custody facilities, and community events. We assisted in organizing a number of events, including National Child Day, where all Provincial Advocate offices celebrate children and youth and recognize their valuable contributions to our community.

We also facilitated a number of sessions as part of the core training provided to employees at the Ministry of Social Services and Ministry of Justice, Corrections and Policing.

A listing of our public education activities can be located at the end of this report.

Advocacy: Identifying and Resolving Issues

In our advocacy work, we reflect the *Saskatchewan Child and Youth Principles* by treating all children and youth as our primary client, and at the centre of all child-serving systems. Our mandate is to always advocate on behalf of the child or youth. Individuals concerned about a child, youth or group of children and/or youth receiving services from a ministry, agency or publicly-funded health entity can call the Advocate's office. All contacts with the Advocate for Children and Youth are confidential.

We encourage children and youth to call our office about any matter that affects them

Case Example –

Advocating for the child to be the primary client at the centre of case planning

Troy is a preschool child living in foster care who has significant physical challenges requiring a wheel chair due to limited mobility. Troy's foster parents were no longer able to care for him but wanted to keep him until a new home could be found. As it was not clear when a new home would be available, Troy's foster parents requested some specialized equipment that would assist them with his care. Initially, the Ministry of Social Services denied their requests because of Troy's pending move.

Our office became involved and learned that a different placement had not yet been arranged and it was unclear as to when this would occur. Our advocacy efforts led to approvals for funding of the equipment which will accompany Troy to his new home.

Our advocacy meant that Troy's needs became primary and at the centre of case planning; and that his right to specialized services was protected and not delayed because of a pending move.

We encourage children and youth to call our office about any matter that affects them. Advocates will work directly with children and youth to negotiate a resolution to their concerns and help them advocate on their own behalf. If children or youth are unable to provide direction, our advocates will work with their families and appropriate officials within the ministry or agency to ensure they receive the services and quality of care to which they are entitled by legislation and policy.

Effective advocacy services, delivered in a constructive, non-confrontational manner, can be preventive. Issues can be identified earlier when resolution can be achieved more easily and before problems become more complex. Advocacy can also be a means to improve service delivery to ensure that issues do not recur.

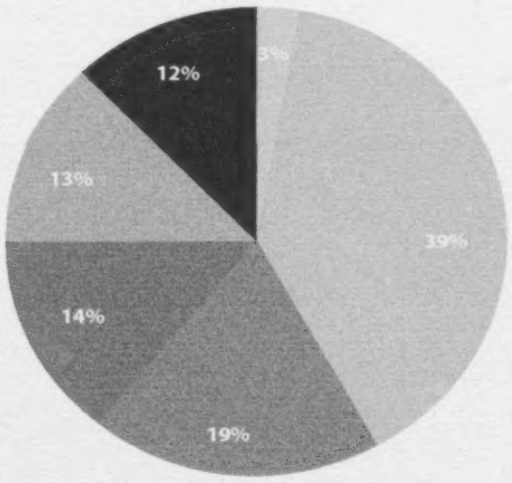
Who contacted the Advocate for Children and Youth in 2015*

- Parent (39%)
- Child or Youth (19%)
- Extended Family (14%)
- Professional (13%)
- Other (12%)
- Foster Parent (3%)

**Advocacy files only*

Parent includes parents, step-parents, non-custodial parents, legal guardians, caregivers, alternative caregivers and persons of sufficient interest.

Other includes interested third parties such as band officials, babysitters, neighbours or anonymous callers.

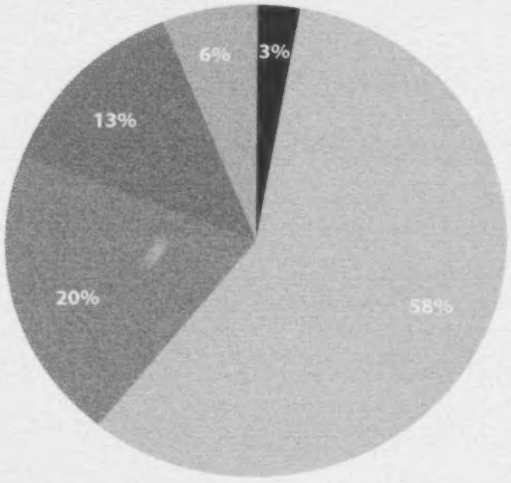


Issues Received about Services Provided by a Ministry or Agency in 2015*

- Ministry of Social Services (58%)
- Ministry of Justice (20%)
- First Nations Child and Family Services Agencies (13%)
- Ministry of Education (6%)
- Ministry of Health (3%)

**Ministries within our jurisdiction*

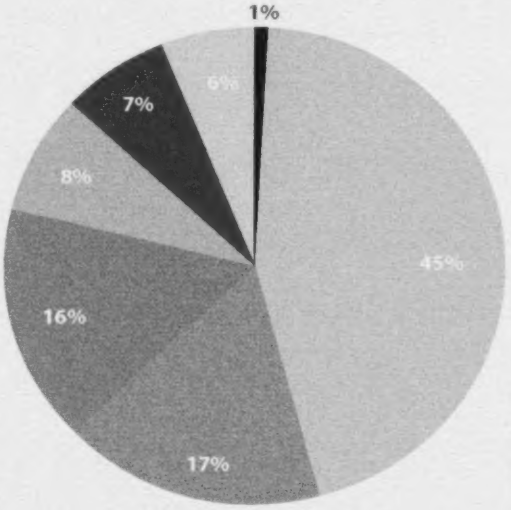
The Ministry of Health includes Regional Health Authorities, the Saskatchewan Cancer Agency and all publicly funded health entities.



Most Common Issues for the Advocate for Children and Youth in 2015

- Case Planning and Case Management Issues (45%)
- Rights Issues (17%)
- General Inquiry/Other (16%)
- Lack of Services and Supports/Timelines of Services (8%)
- Custody and Access (7%)
- Quality of Care Issues (6%)
- Independent Legal Representations (1%)

*General Inquiry/Other represent issues that require a referral to another resource or agency.



We track and report on our statistics to identify trends and potential areas where improvement to government services may be needed. Repeated issues or concerns may lead to a systemic review.

In 2015, as in previous years, our statistics illustrate that parents represent the highest volume of callers to our office and the majority of concerns relate to the services provided by the Ministry of Social Services. As the Ministry provides services for children and youth to age 21, and their services significantly affect the lives of parents and families, these findings are not surprising.

The most common type of concern relates to case planning and case management where communication or policy compliance is usually at the core of the concern. Many callers report disagreement with or a lack of information about their case plan. We have found that children, youth and parents are trying to navigate complex government systems and are often left feeling confused or do not understand their case plans.

Our advocates assist by gathering information specific to their case plan, explaining how programs work and referring them to resources and processes by which their concerns can be addressed. Advocates have found that clear language presented in a way that a client or youth can understand is often the resolution to these concerns.

When case management issues involve a matter of policy compliance, our advocates make contact with government or agency staff to clarify policy. At times, the advocates provide staff with information about how policies can be interpreted to advance the rights of the child or youth involved. Workloads, ongoing training and supervision remain at the forefront of addressing compliance issues. Policy compliance is an area of significant concern to the Advocate and has been reported on in a number of our investigations.

In this past year, the majority of quality of care issues involved young offender custody facilities including the physical conditions of the facility and the quality of the food. The Advocate has raised these issues with government on a systemic basis to protect the rights of incarcerated youth.

In 2014, the government of Saskatchewan established the Counsel for Children program to represent children and youth who are involved in child protection proceedings. Our statistics indicate fewer contacts about this need as we no longer are directly involved in its administration.

Youth have contacted the Advocate as they would like to share their opinions with a judge in family court, but they are unable to as the only avenue for these opinions is the Voice of the Child report

Case Example –

Sharing information in family court to protect children's right to be safe

Our office was informed of a situation related to custody and access, involving two preschool aged children in the same family. The parents had separated and the family law court issued an order which gave one parent supervised access, and the other parent was designated as the primary caregiver. We learned that the children had disclosed abuse by the parent with supervised access. The Ministry of Social Services completed a child protection investigation as per their policy and substantiated the concerns of abuse. However, when the matter of the parent's custody and access returned to the family law court, information about the child protection investigation by the Ministry of Social Services was not made available for the court's consideration. As a result, the court granted the parent continued access to the children and changed the terms of how the visits were to be supervised.

Our office advocated for the Ministry to open a file for further assessment based on our collection of past information, ongoing safety concerns for the children, and the previous substantiated abuse. As a result of our advocacy, the Ministry agreed to do a complete review of their files and provided counseling to the children.

The case represents the importance of the courts having all available information about child protection concerns when parents are involved in custody and access disputes. It is deeply concerning that children's right to be protected from abuse or neglect may not always be protected in our family court system and we are in discussions with the Ministry of Justice on these issues.

Children and Youth in Family Law

This year we have included concerns about custody and access in our statistics about common issues reported. Every year the Advocate is contacted by parents and by young people about issues in family law concerning custody and access. In 2015, 7% of the requests for advocacy our office received concerned custody and access. Under *The Advocate for Children and Youth Act*, the Advocate is not able to advocate in court matters, which includes family law. However, we are able to provide suggestions to people who contact us as to how they can resolve issues, including referrals to legal services and school and community counselling for children. We may also refer callers to the Ministry of Justice, Family Matters program. This program provides information, resources and problem solving sessions for families going through separation and divorce. It is a voluntary program that is not connected to the court system.

Two issues that are a concern for the Advocate is that children and youth do not have their right to be heard protected in family court and their interests may not be completely represented in family court proceedings. The *Saskatchewan Children and Youth First Principles* state that children and youth are entitled to participate and be heard before any decisions are made that may affect them. This principle is based on Article 12.2 of the *Convention on the Rights of the Child* that states "the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law."

The Counsel for Children program provides children and youth legal representation in child protection hearings; however, there is no legal counsel for children and youth in family law court unless their parents retain independent legal counsel in addition to their own lawyers. As a result, there is no guarantee for legal counsel focused specifically on the interests of children and youth in family court proceedings.

In the family court process, there are several ways a child or youth's opinion may be heard. Judges may order custody or access assessments. These assessments are thorough and all background information about a parent, including any child protection or criminal record history is collected. However, these assessments do not ensure that a child's or youth's opinions are included in the report. Judges are also able to order a Voice of the Child report to understand the child or youth's wishes. However, the need for such a report is discretionary, and they are generally restricted to children over the age of 12. Youth have contacted the Advocate as they would like to share their opinions with a judge in family court, but they are unable to as the only avenue for these opinions is the Voice of the Child report.

If a child or youth does not want to abide by a current court order, usually about a parent's custody or access, that child or youth is reliant on the other parent to initiate a new family law proceeding to seek a variation or termination of a court order.

The Counsel for Children

The Counsel for Children program appoints counsel to represent children and youth in child protection proceedings. The program was implemented in December 2014 and operates with a roster of ten trained lawyers. In 2015, the program handled over 150 cases. While the majority of cases involve children 12 and over, counsel also represent younger children who are members of a sibling group and require an independent voice to represent their interests. Referrals to the program come from the Ministry of Social Services or First Nations Child and Family Services Agencies, from family of the child or youth, from the Advocate for Children and Youth or directly from the child or youth. In a few situations, the Provincial and Queen's Bench Courts have ordered Counsel for Children, particularly in complex cases which may involve custody and access as well as child protection issues.

Further, unlike some other jurisdictions, child protection and custody court proceedings are held separately. This means that when there is no thorough custody and access assessment ordered judges may be lacking relevant information about parents when there are substantiated child protection concerns. As a result, a judge could grant custody or access to a parent who presents a high risk to the child.

As there is potential for a child or youth to be put into a situation of harm, the Advocate has profiled this issue and will continue to raise it with government so that children are heard and their rights are protected.

Systemic Advocacy

Many of the issues in which our office advocates are systemic in nature, requiring ongoing research, analysis and monitoring. We track systemic issues in a thematic manner, informed by individual advocacy cases and investigations of child and youth critical injuries and deaths, in order to identify the larger systemic issues, such as gaps in services or barriers to accessing services. Using a child rights' lens, our office also provides consultation to government pertaining to program and policy issues in order to promote the rights and well-being of children and youth.

Systemic Highlights in 2015

Child Rights Impact Assessment (CRIA)

A Child Rights Impact Assessment [8] is a way to assess the potential impact of policy or legislative changes on children and youth, using the United Nations *Convention on the Rights of the Child* as a framework. The Ministry of Social Services has taken a leadership role in developing a CRIA tool for legislative review and policy development. We have also discussed use of the tool with officials from the Ministry of Justice, Corrections and Policing and continue to encourage other ministries to use the CRIA tool in their policy development and program reviews. The importance of using the CRIA tool is to ensure that the policies and programs that serve children and youth incorporate the rights principles that children and youth are the primary client and at the centre of these services.

Children Moving Between Jurisdictions - Provincial Territorial Protocol

The Provincial and Territorial Directors of Child Welfare worked on new protocol that ensures children who are moved between provinces have the same entitlement to services and benefits, and that monitoring of and contact with children moving between provinces is consistent. We have been very concerned about the number of children moving between provinces and have addressed the need for the protocol with the Ministry of Social Services. Further, the Canadian Council of Child and Youth Advocates met with the Directors to highlight the importance of a protocol and its implementation. The protocol will be implemented in most provinces and territories in April 2016. We will engage in follow-up and track this initiative over the next year.

Early Childhood Education and Programs

Our office has long advocated for sustained resourcing for early childhood education and development programming to help children to get a good start early in life as envisioned in the *Saskatchewan Child and Family Agenda*.

We have learned that funding for the Early Childhood Intervention Program (ECIP) on reserve has been secured until March 2016 and that ongoing federal funding is under consideration for the upcoming year. The Ministry of Education has reported that it has signed a memorandum of intent with Health Canada to develop a common funding formula to cover ECIP on and off reserve. These types of agreements could address the disparities encountered by First Nations families.

Over the past eight years, we have seen investments in additional resources for child care, pre-kindergarten, ECIP, Kids First and other programming. However, it is clear that funding has not kept pace with the need and access to these programs. Recent research [9] has found that Saskatchewan has the lowest level of access to licensed child care spaces for children in all of Canada. Further, programs such as Kids First are offered in targeted communities and not offered province wide.

It is critical that all children are kindergarten ready. Comprehensive early childhood education and programming could ensure that all children have access to the highest standard of health and education to reach their full potential.

We have been very concerned about the number of children moving between provinces and have addressed the need for the protocol with the Ministry of Social Services

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8. For more information about Child Rights Impact Assessments, see the UNICEF Canada website: http://unicef.ca/fr/discover-fr/article/what-is-a child-rights-impact-assessment, and UNICEF Canada's report Child Rights Impact Assessments: the Fundamentals. Submitted by UNICEF Canada to the Standing Senate Committee on Human Rights, February 3, 2014. Available at: http://www.unicef.ca/sites/default/files/imce_up-loads/cria_senate_presentation_unicef_canada_feb_3_2014.pdf

9. Martha Friendly, M., Grady, B., Macdonald, L., and Forer, B. (June 2015). Preliminary data: Early childhood education and care in Canada 2014. Toronto: Child Resource and Research Unit.Table 1.

Infant Safe Sleeping – An Update

In 2011, our office profiled the systemic issue of infant safe sleeping as a recurrent theme arising from child death reviews and an incident that occurred in one of the health regions. Significant steps were taken by the Ministries of Health and Social Services to amend policies, disseminate information and educate staff and families about safe sleeping practices.

In 2015, we recognized more advocacy was required after completing further analysis of this issue, which found 12 additional cases in a period of three years (2012 to 2014) where sleeping practices were identified as a potential factor in the death of a child. Based on these findings, we followed up with two health regions where most of these deaths occurred to review their efforts to educate parents about safe sleeping practices. We confirmed that one health region had implemented all the recommendations resulting from their internal review, while the other region had processes in place to educate families about safe sleeping practices.

As part of our monitoring and follow up work, we met with the Ministry of Social Services who advised it is tracking the number of child deaths with unsafe sleeping as a potential contributing factor. The Ministry agreed to provide direction to all Directors in the Child and Family Services division to keep this issue at the fore when their staff is working with new parents. While we are satisfied with the efforts by government to enhance programs and services to families with infants, we will continue to provide oversight by monitoring every child death notification that we receive.

Our office has promoted the use of trauma informed practice to ensure that children or youth who are already coping with trauma because of neglect or abuse are not caused additional trauma by their experiences with government programs or services

Advocacy for Deaf and Hard of Hearing Children

We continue to advocate for improved services for Saskatchewan deaf and hard of hearing children and youth. This includes better access to diagnostic, interpretation, sign and spoken language services, as well as more inclusive education and other human services. Our office met with representatives of the Saskatchewan deaf and hard of hearing community on several occasions. We have also spoken with officials from the Ministry of Education as well as the Saskatchewan Human Rights Commission concerning our shared interest in advancing the rights and well-being of deaf and hard of hearing children and youth. Honouring the language rights of deaf and hard of hearing children and ensuring inclusivity and educational services to meet the needs of these children should be paramount. The right to choose their own language is essential for deaf and hard of hearing children to realize their full potential as active members of a more inclusive Saskatchewan. Active members of our community will continue to meet with the various ministries to continue to work towards fair and equal services for all deaf and hard of hearing children toward resolution to these issues.

Trauma Informed Practice

Our office has promoted the use of trauma informed practice to ensure that children or youth who are already coping with trauma because of neglect or abuse are not caused additional trauma by their experiences with government programs or services. In 2015, the Inter-ministerial Child Abuse and Sexual Exploitation Committee (CASE) which is co-chaired by the Ministries of Social Services and Justice arranged for training on trauma informed practice and on creating a trauma informed care agency. Officials from all ministries serving children and our office attended this very important workshop. The Ministry of Justice, Corrections and Policing has taken a further positive step by developing a detailed proposal outlining options for training and integration of trauma informed practice into the work of the ministry. As this type of training is instrumental to improved case planning, we continue to encourage ongoing training events.

The Child and Family Services Act

Over the past five years, our office contributed significantly to consultations that were held in regard to the changes to this Act and made formal submissions and recommendations. The Ministry of Social Services reported that the community and stakeholder engagement for legislative proposals was finally completed in 2015, and it now can move forward to Cabinet with the proposals. We anticipate the legislation will not be amended until the spring of 2017 and key components of the Child Welfare Transformation Strategy will continue to be delayed. We are very concerned that the slow pace of legislative renewal suggests that it is not a priority for government and we will continue to press for action to move forward on needed legislative changes.

Investigations: Recommending Improvements To Services

The Advocate for Children and Youth conducts investigations into the deaths and critical injuries of children and youth who were receiving services from child and youth serving government ministries and agencies either individually, or with their families. When a death or injury occurs, our office receives notification from either the Ministry of Social Services or the Ministry of Justice, Corrections and Policing. At the time of notification, we also assess the need for advocacy services to determine if the injured child or youth or other children in the home require any service or further assistance to ensure safety and protection from the potential of further harm. We also aim to ensure that their rights and entitlements to service are respected.

The outcomes of our investigations generate formal recommendations for improvements needed to programs and services. We also monitor and track recommendations made to ensure accountability of the ministries involved. Our office regularly assesses recommendations for closure when we determine that adequate action has been taken by the government, agency or publicly-funded health entity in response to a recommendation. In the occasional situations where the Ministry or Agency does not agree with the recommendations and provides their rationale, we decide whether we concur, or whether to follow-up further to determine if we can advance the recommendation in another way.

Aboriginal youth, in general, are found to be five to six times more likely to commit suicide than are non-Aboriginal youth

In 2015, we released a public report on an investigation into a child's death in foster care: *No Time for Mark: The Gap Between Policy and Practice.* Mark's story demonstrated how tragic events can occur due to repeated failures to follow policy, and when oversight mechanisms fail to address matters of persistent noncompliance. While it is too late for Mark, we anticipate this report and its recommendations will close the gap between policy and practice for children who come after him. A copy of the report is report is available on the Advocate's website at www.saskadvocate.ca.

This past year involved a rigorous monitoring of the recommendations made in the report *Two Tragedies: Holding Systems Accountable.* This report was released in May 2014, and we recommended that the Ministry of Social Services and the First Nations Child and Family Agency involved provide quarterly updates on their actions. The recommendations made were related to improvements in casework to prevent these types of incidents from recurring, adherence to procedural guidelines for conducting child welfare casework, greater attention to the workload of social workers, and improved supervision to support them. The Advocate recommended expansion of the medical supports for families in rural and remote areas, to better serve children with developmental needs, and an improved joint critical incident review process for the Ministries of Social Services and Health.

The Advocate reviewed these progress reports and met with the Ministry and the Agency involved as part of the monitoring process. As a result, our office was able to close a portion of the recommendations. The Ministry and Agency continue to work towards addressing the remaining recommendations which require both substantial inter-ministerial work and further collaboration between the Ministry and the Agency. To ensure accountability and action, we will continue to monitor and report on the implementation of these outstanding recommendations.

Deaths and Critical Injuries in 2015

The number of deaths reported to our office in 2015 did not change significantly from last year. This year, we were notified of 26 deaths, as compared to 23 in 2014. There was also a slight decrease in critical injury notifications, from 41 received in 2014 to 36 in 2015. As has consistently been the case, *at least* 47% of critical injuries and 50% of deaths involved children and youth who are Aboriginal. It should be noted that the notifications we receive represent a subset of the total number of deaths of children and youth in Saskatchewan, as we are only notified by the Ministries serving children and youth.

Nearly half of the reported deaths involved children aged five and under. Deaths and injuries among this age group indicate that these children are most vulnerable to illness and accidents, such as fire or drowning, with two injuries suspected to have been caused intentionally. Among those cases where the cause of death was known to our office at the time of writing, deaths involving children and youth who were medically fragile, illness, and homicide were the most common. [10]

10. As per the definitions of the Coroner's Office, "homicide" is a neutral term used when death results from a voluntary act committed by another person to cause fear, harm or death. It does not imply criminal intent, blame or fault.

The majority of youth who suffered a critical injury were aged 11 and over. Assault (including stabbing, shooting, and physical and sexual assault) was the most common cause of injury at 28% while 25% of critical injuries were the result of suicide attempts and self-harm. Illness and accidents (unrelated to drugs or alcohol) accounted for 19% and 15% of injuries, respectively. [11]

In light of these statistics, it should be acknowledged that both the Ministries of Social Services and Justice, Corrections & Policing provide services to children and youth whose life circumstances make them extremely vulnerable. In some cases, children and youth have pre-existing medical conditions that ultimately led to their death or result in critical injury.

Violence remained a notable issue this year. Our office was notified of three deaths by homicide and there is a suspicion of homicide in relation to one other death for which the cause had not been determined at the time of this report. In addition, various forms of assault were the most common cause of injury. Incidents of violence consistently contribute to between one quarter and one-third of all injury and death notifications we receive. This trend is occurring in a context where violent crime is down by roughly a third compared to a decade ago and at its lowest level since the early 1990s. This said, Saskatchewan continues to have the highest provincial police-reported rate of violent crime, including the highest provincial rate of violence against children and youth. [12] This is concerning, particularly when our investigations find that children and youth are at greater risk of harm when case management is lacking and services are not provided when needed.

Suicide attempts and self-harm accounted for 25% of critical notifications in 2015, as compared to 44% in 2014. However, this issue remains a significant concern for our office. Saskatchewan has the highest suicide rate among all of the provinces, surpassed only by the North West Territories and Nunavut. Specifically, Aboriginal youth involved with the young offender system are at increased risk. Aboriginal youth, in general, are found to be five to six times more likely to commit suicide than are non-Aboriginal youth [13]. Furthermore, it has been shown that youth involved with young offender systems are more likely to harm themselves or commit suicide than youth in the general population [14]. The notifications received by our office are reflective of these statistics. All but one youth who had engaged in self-harm, attempted or completed suicide were receiving services from the Ministry of Justice, Corrections and Policing at the time of their injury or death. Nearly half of these individuals were Aboriginal, while the ethnicity of the rest was unreported.

Within this past year, our office conducted a thematic review of suicide attempts by youth in the young offender system. We found that the Ministry of Justice, Corrections and Policing was largely meeting policy requirements related to initial risk assessments and community safety plans. Strong case planning was occurring in the areas of addictions and mental health. However, standards related to contact with youth and updates to case plans for youth serving community sentences often went unmet. Typically, the Ministry identified transiency and lack of compliance with reporting by the youth as the reason behind these lapses. Additionally, the majority of these youth were identified as having inadequate engagement with community services or programming, therefore, were not receiving the benefit of the case planning being done. This is concerning when those youth are at risk of harming themselves. We are currently working with the Ministry to learn more about what strategies are in place to help youth become involved with needed services and to strengthen suicide risk assessments for youth serving sentences in the community.

Our office continues to be concerned about the trends in suicide and self-harm reported from both the Ministry of Social Services and the Ministry of Justice, Corrections and Policing. We strongly believe that suicide attempts are under-reported from the Ministry of Social Services due to the criteria by which they are reporting. According to the Ministry's reporting policy, an injury must require major medical intervention or result in serious or long-term impairment before the report criteria for notification are met. Because many of these incidents do not meet these criteria, we anticipate the actual number of suicide attempts by youth receiving child welfare services to be much higher than what is reported here. We have requested that the Ministry of Social Services notify our office of all suicide attempts and are currently working with them on this issue.

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11. Accidents include – Motor vehicle accident, hit by motor vehicle, misfire of a gun and near drowning. It does not include the one reported fall (alcohol-related) or accidental alcohol/drug overdoses. The motor vehicle accidents did not involve alcohol/drug use by the child/youth who was injured.

12. Saskatchewan Ministry of Justice, Annual Report 2013-14, pp.9-10. See also CCJS, Family Violence in Canada: A Statistical Profile, 2014 (Ottawa: Ministry of Industry, January 2016).

13. Conference Board of Canada (February 2015), Suicides: Provincial and Territorial Ranking, http://www.conferenceboard.ca/hcp/provincial/health/suicide.aspx#ftn10-ref

14. Health Canada, National Aboriginal Youth Suicide Prevention Strategy (NAYSPS): Program Framework, 2013; Office of the Children's Advocate Manitoba (2015). The Changing Face of Youth Suicide in Manitoba and the Narrow Window for Intervention: Phase One Report, Retrieved from: http://childrensadvocate.mb.ca/wp-content/uploads/The-Changing-Face-of-Youth-Suicide-in-Manitoba_FINAL_web.pdf; British Columbia Representative for Children and Youth (November 2012)., Trauma, Turmoil and Tragedy: Understanding the Needs of Children and Youth at Risk of Suicide and Self-Harm, Retrieved from: https://www.rcybc.ca/sites/default/files/documents/pdf/reports_publications/trauma_turmoil_tragedy.pdf

2015 Child Death Data

Gender	Deaths	Total: 26
Male	18	
Female	8	
Ethnicity	**Deaths**	**Total: 26**
Aboriginal	13	
Non-Aboriginal	2	
Unknown	11	
Age	**Deaths**	**Total: 26**
0 to 5	12	
6 to 10	1	
11 to 15	5	
16 to 18	7	
19+	1	

2015 Critical Injury Data

Gender	Critical Injuries	Total: 36
Male	20	
Female	16	
Ethnicity	**Critical Injuries**	**Total: 36**
Aboriginal	17	
Non-Aboriginal	1	
Unknown	18	
Age	**Critical Injuries**	**Total: 36**
0 to 5	8	
6 to 10	0	
11 to 15	15	
16 to 18	9	
19+	4	

2015 Child Death Causes: Identified Causes

Cause	Male	Female	Total
Cause not available yet +	4	1	5
Undetermined	1	0	1
Suicide	1	1	2
Medically Fragile	1	2	3
Homicide *	3	0	3
Motor Vehicle Accident	0	1	1
Hit By Motor Vehicle	1	0	1
Fire	1	1	2
Illness	5	0	5
Drowning	0	1	1
Accidental Drug/Alcohol Overdose	1	1	2

2015 Critical Injuries: Identified Causes

Cause	Male	Female	Total
Suicide Attempt	1	6	7
Self Harm – Cutting/ Overdose on Pills	0	2	2
Motor Vehicle Accident	1	1	2
Hit by Motor Vehicle	1	0	1
Accidental Drug/Alcohol Overdose	1	0	1
Stabbing	1	1	2
Physical Assault	4	0	4
Sexual Assault	1	2	3
Burn	0	1	1
Fall	1	0	1
Undetermined (Suspected Non-Accidental and/or Child Abuse)	0	0	0
Accident (other than overdose and MVA)	2	0	2
Illness	4	3	7
Shooting	1	0	1
Administration of CPR	0	0	0
Other x	2	0	2

Update –
Cause of Deaths 2014

When we released our 2014 Annual Report in April 2015, we did not have data from the Coroner on the cause of six of the 23 deaths that took place in 2014: five males and one female. We have since received this information. Two of these deaths were classified as undetermined (one male, one female); three males were determined to be natural deaths (epilepsy, renal failure, and medically fragile); one male was determined accidental (brain injury due to smothering).

+ When available, information reported as to the cause of death is determined from the Coroner's Reports, which are pending for a number of 2015 deaths. In the absence of a Coroner's Report, cause of death may be obtained from information reported by the Ministry involved. The category of "cause not available yet" is used when the ACY has not received reliable information on the cause of death. This is to be distinguished from the category of "undetermined", which is used by the Coroner where the cause of death has been reviewed by the Coroner but cannot be determined.

* As per definitions of the Coroner's Office, "homicide" is a neutral term used when death results from a voluntary act committed by another person to cause fear, harm or death. It does not imply criminal intent, blame or fault, which remains the responsibility of other judicial processes (Coroner Orientation and Investigative Guide, October 2012).

x This category includes an infant with significant medical conditions resulting from a premature birth and a youth whose behaviour resulted in the death of another person. While the latter incident does not meet the criteria for notification to our office under the Ministry of Social Services' "Serious Occurrence Categories, Reporting and Review" policy, the matter was reported as the Ministry felt the circumstances required review.

Case Summary: Failure to Identify and Investigate Child Abuse Led to Tragic Outcome for Two Children

The Advocate initiated an investigation into the deaths of both three year old Sarah and two year old Michael following notification by the Ministry of Social Services. These siblings and their family were receiving services under *The Child and Family Services Act* within the twelve months prior to their death. During the investigation, the Advocate learned that three months after the parents separated, concerns of parental neglect and addictions were reported to the Ministry of Social Services. Before this ministry was able to undertake an investigation to determine if Sarah and Michael were in need of protection, the children moved with their mother to Alberta. Due to similar reported neglect concerns, officials in Alberta apprehended the children and placed them in foster care. They asked the Saskatchewan Ministry of Social Services to assess a number of factors and determine if the children's father and his new partner could safely care for his children.

The Advocate's investigation found there was inadequate reporting of suspected child abuse by the health region; and, there were two instances in which child protection investigations should have been completed by the Ministry of Social Services, but were not

After the Ministry completed an extended family home assessment which did not identify any protection concerns, Sarah and Michael were placed in the care of their father and his partner. Five months later, Sarah passed away due to drowning. Five months after that, Michael passed away and a homicide investigation was opened by police. The Coroner has not released Michael's cause of death due to this investigation.

The Advocate's investigation found there was inadequate reporting of suspected child abuse by the health region; and, there were two instances in which child protection investigations should have been completed by the Ministry of Social Services, but were not. These include the neglect concerns reported prior to the children moving to Alberta, and physical abuse concerns that were reported prior to Michael's passing. Lack of parental attachment was another factor that was not adequately assessed by the Saskatchewan Ministry of Social Services, but was identified by Alberta in their request as a potential area of risk.

As part of the investigation, the Advocate made the following recommendations:

- That in-service training is provided to staff in the Ministry of Social Services' service area to raise awareness of all forms of child abuse, and increase the critical thinking skills required to effectively identify and investigate allegations of abuse and neglect under *The Child and Family Services Act*.
- That the Ministry of Social Services amend policy regarding home assessments such that lack of parental involvement and attachment must be considered when placing children with non-custodial/ non-primary parents.
- That the health region establishes and implements clear regional policies and procedures for reporting child abuse and neglect concerns pursuant to *The Child and Family Services Act* and the *Saskatchewan Child Abuse Protocol* (2014).
- That the health region develop and implement ongoing training to staff regarding their legal obligation and duty to report child protection concerns as directed in the new policy.

Lack of reporting suspected child abuse found in cases in two other health regions, led the Advocate to make the following recommendation to the Ministry of Health:

- That the Ministry of Health issue a directive to all health regions in Saskatchewan to develop protocols or policies for reporting suspected child abuse and neglect, which correspond with the *Saskatchewan Child Abuse Protocol* (2014).

It is encouraging to report that all of the recommendations were accepted and implemented by the ministries and the health region involved. We also understand that the health region involved has used this case to illustrate to their region the importance of ensuring their staff have a depth of understanding and practice as to the 'duty to report' outlined in legislation and in the *Saskatchewan Child Abuse Protocol* (2014). Under the *Convention*, children have a right to protection from all forms of violence when in the care of their parents or others. Enhanced reporting policies and training will help to safeguard these rights.

Focusing on First Nations and Métis Children and Youth

The Advocate's commitment to advocating for the rights of First Nations and Métis children, youth and their families is at the forefront of our work. Children and youth of First Nations and Métis ancestry are the most marginalized in our society, are much more likely to live in poverty than other children and youth, and they are over-represented both in the child welfare and youth justice systems.

Through our advocacy work, we are regularly in contact with First Nations Child and Family Agencies who fulfill a critical role in delivering services to First Nations and Métis children and youth. These Agencies often struggle to provide similar levels of services to the provincial system, as they do not have the same level of funding, have difficulty recruiting and retaining staff, and may work in isolation without needed programs to support and assist families and children.

The lack of needed resources and programs extends to the education system on reserve and impacts the ability of First Nations to ensure that the right of children and youth to an education is respected. Our office continues to receive calls about children and youth who are suspended or removed from First Nations schools; as special needs programming or supports that could assist a child or youth in being successful in a school environment are lacking. Many of these children or youth reside in group homes and are already vulnerable. Lack of school support places them at greater risk.

We have advocated on behalf of these students with school principles, First Nation Child and Family Agency directors and directors of education to resolve individual cases. We are examining this issue systemically as it involves child welfare and education systems and will meet with the Saskatchewan First Nations Family and Community Institute to pursue this critical issue affecting our First Nations and Métis children and youth.

We are heartened by the recent decision of the Canadian Human Rights Tribunal in January 2016 that found the federal government responsible for discriminating against First Nations children and families by providing inequitable child welfare services. This landmark ruling determined that the federal funding formula provided First Nations agencies with fewer resources than provincial counterparts and directed government to cease its discriminatory practices. This decision is of critical importance to all First Nations Child and Family agencies as it could assist them to get needed services and resources for the families and children they serve.

We encourage the federal government to review all of its funding formulas to ensure all children and youth receive an equitable standard of service from all child serving systems.

Kanaweymik CFS culture camp.
Moosomin First Nation, SK – July 2014

Truth and Reconciliation Commission (TRC) Closing Ceremonies, Ottawa, ON - May 2015

Council of the Federation Releases Report on Aboriginal Children in Care

In July, the Council of the Federation, the national organization of Canada's Premiers, discussed the report they had commissioned examining the over-representation of Aboriginal children in the child welfare system. This report, *Aboriginal Children in Care: Report to Canada's Premiers* [15], has since been released to the public.

The Premiers stated the report sets a good foundation for future work and forwarded it to the Aboriginal Affairs Working Group and provincial/territorial ministers responsible for Social Services for consideration in their own work. They noted that ensuring the best possible outcomes for children is a shared responsibility among families, communities and governments. As intergovernmental cooperation is very important in this work, they reiterated their call on the federal government to play an active role in this issue.

Through the Canadian Council of Child and Youth Advocates, the Saskatchewan Advocate joined with advocates in other provinces and territories in urging the federal, provincial and territorial governments to take immediate action to reduce the number of Aboriginal children in care across Canada. Among the actions that the Canadian Advocates called for in August and November of 2014, and again in July 2015 with the release of its report, is a national initiative to measure and report on child welfare, education and health outcomes

15. Available at: http://canadaspremiers.ca/phocadownload/publications/aboriginal_children_in_care_report_july2015.pdf

"Heart Garden" planted at Peer Home, Prince Albert, SK. – June 2015
(Planter box made by youth at the Core Neighborhood Youth Co-Op)

for Aboriginal children and youth; the creation of a national Aboriginal children and youth participation initiative, with training on child and youth rights, leadership, voice, and civic participation; the creation of a special conference of federal/provincial/territorial first ministers, with Aboriginal leaders and child and youth delegates; and the creation of an independent National Children's Commissioner with particular emphasis on Aboriginal children and youth.

The report profiled promising practices in three areas the Advocate has highlighted previously: developing strategies to address the social and economic issues that are the root causes of abuse and neglect; improving prevention and early intervention supports for Aboriginal children and families; and supporting child welfare staff through standards and training to deliver high-quality child welfare services.

Considering that the federal government funds all programs on reserve, we were disappointed that the federal government of the day did not participate in developing and releasing this report, despite invitations from the Premiers. There also appears to be no action plan guiding next steps after this report's release. The Advocate will continue to advocate for child welfare transformation provincially and through the Canadian Council of Child and Youth Advocates.

Canadian Council of Child and Youth Advocates Support the Work of the Truth and Reconciliation Commission (TRC)

In June 2015, the Truth and Reconciliation Commission released a summary of its six-volume final report. The summary describes the devastating impact of Indian Residential Schools on students who attended them, their families, and communities, as well as profiling stories of resilience and hope.

Residential schools were established by the federal government and operated by four national churches for more than a century. Their explicit aim was to eliminate parental involvement in the spiritual, cultural and intellectual development of Aboriginal children and assimilate these children into the dominant Euro-Canadian culture.

Over the past six years, the Commission heard from nearly 7,000 residential school survivors, some of whom were deeply scarred by physical, sexual and emotional abuse, and the summary report chronicles their extraordinary resilience. It also laid out a bold and visionary framework for future action to foster reconciliation and change through 94 'calls to action' for changes in policies, programs, and more fundamentally, "the way we talk to, and about each other." [16]

The Commission's report is particularly relevant for Saskatchewan, as approximately 28,000 people in the province are survivors of the residential school system, the largest number of survivors of any province or territory in Canada. They represent about a third of all survivors living today.

The Canadian Council of Child and Youth Advocates released a Declaration of Reconciliation at the closing ceremonies, pledging to ensure that the rights of First Nations children and youth are kept at the forefront in our advocacy work.

Over the past six years, the Commission heard from nearly 7,000 residential school survivors, some of whom were deeply scarred by physical, sexual and emotional abuse, and the summary report chronicles their extraordinary resilience

16. Truth and Reconciliation Commission. Honouring the Truth,Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada, 2015, p. 317. Available at: http//www.trc.ca/websites/trcinstitution/File/2015/Honouring_the_Truth_Reconciling_for_the_Future_July_23_2015.pdf

Flexible Response Pilot Project

The Flexible Response Pilot Project is a program that aims to build on existing strengths to increase families' capacity to care for their children using culturally appropriate services. The project was piloted within the Ministry of Social Services, Saskatoon region. Flexible Response maintains a primary focus on child safety while promoting permanency for children within the family and community, and increasing emphasis in engaging children and their families in services.

Preliminary evaluation outcomes suggest that forty nine fewer children entered the care of the Ministry in comparison to the year before the pilot program was offered.

Our office also planted several heart gardens with children and youth for the First Nations Child and Family Caring Society of Canada's *Honouring Memories, Planting Dreams* campaign. Heart gardens honour children lost to the residential school system and acknowledge our shared commitment to reconciliation.

There is a need for people working in human services to better understand the cultures and traditions of First Nations and Métis people of Saskatchewan, and the reasons for the over-representation of First Nations and Métis children and youth in our child serving systems

The Advocate is using the Commission's report to inform its work, reflecting deeply on how we can participate in the healing journey of reconciliation and contribute to putting the calls to action into practice.

The calls to action particularly relevant to the Advocate's office include ones on reducing the number of Aboriginal children and youth in the child welfare system and youth in the youth justice system, reporting annually at a federal level on numbers and situations of Aboriginal children in care, funding for education and health care, fully implementing Jordan's Principle [17], and creating a public inquiry into missing and murdered Aboriginal women and girls. The Advocate also endorses the calls to action for governments to work with Aboriginal partners to create mandatory, age-appropriate curriculum for use with kindergarten to grade 12 students, residential schools, Treaties, and Aboriginal peoples' contributions to Canada.

Province and First Nations Working Together

Following the release of the *Joint Task Force on Improving Education and Employment Outcomes for First Nations and Métis People* in 2013, the province has invested in implementing the task force's recommendations. In August 2015, the Federation of Saskatchewan Indian Nations and the Ministry of Education signed a memorandum of understanding to keep working together, while recognizing First Nations control of education on reserves.

Working together is reflected in the provincial education system's commitment to promoting Aboriginal languages and cultures through initiatives such as agreements between First Nations and school boards, Cree immersion programs, and involving Elders and other traditional Knowledge Keepers in classrooms. Under the Shared Services Initiative, the province is providing students and teachers on reserve with the same supports as are available in provincial schools, such as speech-language pathologists, community liaisons, and literacy and graduation coaches. The Advocate commends the province for its leadership on working to improve the graduation rates of First Nations and Métis students through measures such as these.

The Whitecap Dakota First Nation, south of Saskatoon, has signed several important agreements around joint service delivery in the last two years. In October 2014, it signed an agreement with the Saskatoon Public School Board to make its on-reserve school an alliance school with the Board, the first such agreement in Canada. This resulted in increased federal funds for the school, and better integration between the kindergarten to grade four school on reserve, and the Saskatoon Public schools that the students attend for grade five and up. In May 2015, Whitecap Dakota First Nation came together with the provincial and federal governments to open a new child care centre on its reserve, to be built and operated with joint federal-provincial funds.

These kinds of agreements with commitments from both levels of government can serve as a model for other initiatives which would benefit children.

Provincial Update

There is a need for people working in human services to better understand the cultures and traditions of First Nations and Métis people of Saskatchewan, and the reasons for the over-representation of First Nations and Métis children and youth in our child serving systems. The Advocate's office has benefited greatly from ongoing training in the *Touchstones of Hope* for reconciliation in child welfare, and formally recommended that the Ministry of Social Services and Ministry of Justice, Corrections and Policing, commit to this training as well.

The Ministry of Social Services accepted this recommendation and developed a training initiative in partnership with the Saskatchewan First Nations Family and Community Institute in 2014. In June 2015, the Ministry of Justice, Corrections and Policing, signed a strategic alliance with the Office of the Treaty Commissioner to "work together to promote and encourage cultural and spiritual education, treaty rights and responsibilities, and

Heart Garden stakes made by youth at North Battleford Youth Centre. North Battleford, SK. – May 2015

reconciliation and healing among the people of Saskatchewan." We commend these ministries for initiating these training initiatives.

The Advocate has also seen some developments aimed at prevention programming and collaboration between the Ministry of Social Services and First Nations and Métis agencies. Ministry of Social Services staff in Saskatoon are working with First Nations and Métis organizations to provide families with more options through the Ministry's Flexible Response Pilot Project, which was profiled in the report to the premiers. The Ministry reports that an evaluation of the program completed in 2015 has demonstrated its success and consideration is being given to expansion to Regina. We look forward to reviewing the evaluation to see its effectiveness in reducing the numbers of First Nations children in care.

Collaborative relationships have also been enhanced through the work of the Ministry's First Nations and Métis consultants and First Nations Child and Family Service agency staff to improve service delivery to First Nations children and families.

Despite the current funding challenges, four First Nations Child and Family agencies have been accredited, several others are seeking accreditation, and 11 agencies are at various stages of Structured Decision Making implementation. Accreditation means that these agencies' services have been reviewed by an independent accreditation organization and that their services conform to a set of rigorous international standards.

Seeking accreditation is a positive step in accountability for services provided to children and youth. Agencies undergoing accreditation must demonstrate that they are committed to a quality improvement process, that they are focused on the needs of their clients and that they will continue to monitor the outcomes of their programs. However, until the federal government delivers equitable funding formulas that will lead to increased services for First Nations children, agencies will continue to face challenges in providing needed services.

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17. Jordan's Principle sets a standard where Aboriginal children's needs are put first, and funding disputes are secondary. The Canadian Parliament unanimously supported a Private Member's Motion in support of Jordon's Principle. More information is available at: The Jordon's Principle Working Group (2015) Without denial, delay or disruption: Ensuring First Nations child's access to equitable services through Jordon's Principle. Ottawa, ON: Assembly of First Nations. Available at: http//www.afn.ca/uploads/files/jordan's principle-report.pdf

Addressing Challenges in Out of Home Care

Focusing on Prevention

Under the Convention, children are entitled to live with their families, and parents are entitled to the supports and services they need to raise their children. The independent *Child Welfare Review* [18] (2010) called for transformative changes to the child welfare system by focusing on prevention and addressing the socio-economic conditions that precipitate the involvement of child welfare services. The first recommendation of the *Child Welfare Review* was to "Implement fundamental changes to the child welfare system: create an easily accessible preventative family support stream for all families who need it and a much smaller formal child welfare stream for families where the authority of the courts is required." While there has been pockets of progress in delivery of some preventative programming, the fundamental changes contemplated by this recommendation has not occurred.

Foster parents have reported to our office ongoing concerns about a range of issues that include receiving minimal information about children placed in their care, lack of supports for foster children or themselves, contact standards not being met, and inadequate case planning

Until comprehensive action is taken to implement all of the recommendations of the *Child Welfare Review*, the Advocate anticipates there will continue to be a growing demand for all types of out of home care. Focusing on early intervention and prevention services and responding before families are in crisis is crucial to see the transformation that was originally envisioned.

Recruiting and Retaining Foster Parents

In the past year, as illustrated in the table below, there has been an increase in the number of children in care and a decrease in the number of foster home resources. The number of foster homes in the province has decreased for a number of years from 626 in 2011 to 498 in 2015. Furthermore, Ministry policy restricts the number of foster children in a foster home to four (unless special approval is obtained) yet foster homes continue to be over maximum numbers. At times, the ministry will have valid reasons for placing children in over maximum capacity homes due to their efforts to keep sibling groups together, and in these situations will provide additional in-home supports most times. However, there must also be compliance to contact standards and case planning to ensure these children are safe and the foster parents are supported. As there has been a reduction in the number of foster homes with more than four foster children, it remains troubling that at the end of 2015, 251 children were in a home that exceeded the policy limitation.

In 2015, limited foster care resources and a significant increase in apprehensions resulted in children and youth being placed in hotels in two Saskatchewan cities, under the supervision of the Ministry of Social Services staff or staff from community-based organizations. Hotel placements mean that multiple staff members are caring for children in shifts, as opposed to child centred services that would suggest that children require stable, caregivers for optimal development. Children need to form attachments with stable, loving caregivers to develop to their full potential, which does not occur when they are being cared for by many caregivers alongside many other children. [19]

Foster parents are essential caregivers in the child welfare system and we are grateful for their work, which can go unnoticed and unappreciated. Foster parents have reported to our office ongoing concerns about a range of issues that include receiving minimal information about children placed in their care, lack of supports for foster children or themselves, contact standards not being met, and inadequate case planning.

Our office has called for licensing in our last two public reports, *Lost in the System: Jake's Story* and *No Time for Mark: The Gap Between Policy and Practice* as a result of two children who died in overcrowded foster care situations. Recommendations in these reports called for improvements to the foster care system, including needed in-home support be in place before children are placed in a foster home, policy amendments, and additional training on foster home investigations, and that foster homes be licensed, similar to child care homes and centres. Licensing provides a solid framework to ground good policies in legislation to better support foster parents and increase accountability.

The Advocate's recommendations on the foster care system are intended to improve support for foster parents so that they are able to provide safe, loving homes when children are unable to be with their parents. The Advocate has previously recommended and continues to urge the Ministry of Social Services to put in place a formal recruitment and retention plan; that one does not yet exist is troubling, as the number of foster homes available has been in decline.

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18. For the Good of Our Children and Youth: Saskatchewan Child Welfare Review Panel Report, 2010. Available at: http://saskchildwelfarereview.ca/

19. 32. Center on the Developing Child, Harvard University. In Brief: the impact of early adversity on children's development. [fact sheet]. Available at: http://developingchild.harvard.edu/index.php/resources/briefs/inbrief_series/inbrief_the_impact_of_early_adversity/

Child and Family Services and Aboriginal Affairs and Northern Development Canada Statistics

	31-Dec-11	31-Dec-12	31-Dec-13	31-Dec-14	31-Dec-15
Children in out-of-home-care[1]	4649	4557	4492	4596	4715
Children in care[2]	3039	2896	2846	2852	2931
Non wards[3]	1610	1661	1646	1744	1784
Approved Providers[4]	626	623	584	551	498
Provider homes with more than four children[5]	77	63	48	59	43
Children living in provider homes with more than four children	457	370	282	338	251

All data is taken from either the monthly Linkin extract or ACI and includes active cases at month end.

1. This number includes all children who are placed in out-of-home care and are involved with the Ministry and children who were apprehended by the Ministry off-reserve and placed on-reserve. Placements for these children include: foster homes; assessment and stabilization centre; or, with extended family as of December 31 of each year.

2. This number includes wards and those children with apprehended status.

3. This number includes children/youth who are placed by court order in the custody of a designated Person of Sufficient Interest caregiver.

4. Approved Providers- include Regular Foster Care, Therapeutic Foster Care, Parent Therapist, or both Regular and Therapeutic Foster Care.

5. Children refers to children in care.

Apprehended Status- a child who is in need of protection and at risk of incurring serious harm and has been removed from a parent to a place of safety.

The *'number of Children and Youth in care of the First Nations System'* as of March 31, 2015 is 1,120. This number is provided by Aboriginal Affairs and Northern Development Canada (AANDC). AANDC data is reported annually on March 31 and later reconciled. The reported figures are an aggregation of both children in care and non-wards.

Number of Apprehensions* by Month, 2011-15

	2011	2012	2013	2014	2015
January	411	407	458	400	490
February	391	406	456	414	487
March	401	442	401	390	458
April	375	400	390	379	448
May	363	417	403	378	519
June	424	425	419	384	547
July	441	432	422	370	561
August	410	473	428	426	588
September	455	475	413	465	601
October	398	504	379	481	625
November	361	488	388	479	589
December	387	475	389	442	580
Total	5,117	5,344	5,246	5,008	6,493

*Number of children who had a legal status of "Apprehended" as of the last day of each month.

**The Ministry is unable to report on new apprehensions in a month. These numbers included children who were apprehended in a previous month and whose legal status has not yet changed (i.e. if before the courts a child could have an apprehended status for several months).

Supporting Children Placed with Persons of Sufficient Interest (PSI)

As the preceding table on the Number of Apprehensions illustrates, the number of children on apprehended status has increased substantially in 2015. This is an indication that there is not enough focus on early intervention and prevention services to keep families together.

The Advocate believes the current policy and practice cannot guarantee the safety and appropriateness of the care children and youth are receiving in these placements on an ongoing basis

More children who are in the Ministry's care are being placed with caregivers who have been approved as Persons of Sufficient Interest. While this is a positive step, considering these placements respect children's rights to family and to their culture, it is imperative that these placements be monitored by the Ministry of Social Services to support these homes on an ongoing basis. The Ministry has made improvements to its policy regarding placements with a Person of Sufficient Interest. Before a caseworker can recommend that the child be placed in the court ordered custody of a Person of Sufficient Interest on an indefinite basis, the child must be placed with the extended family or other person with a significant relationship with the child for a period of at least six months. During this period, the worker must assess the stability and suitability of the home and maintain regular monthly contact with the child. However, once the court has made a Person of Sufficient Interest order, the regular contact standards do not apply as the child is no longer a ward of the Ministry. The Ministry however, does remain involved as there are annual agreements signed with the PSI caregiver to provide funding and other types of support for care of the child. At present, once the agreement is signed, Ministry policy only requires an Annual Review and does not stipulate that the child *must* be seen in person. Rather, it states "the caseworker should make every effort to see the child at the Annual Review."

The Advocate believes the current policy and practice cannot guarantee the safety and appropriateness of the care children and youth are receiving in these placements on an ongoing basis. Further, the Advocate is aware of situations in which PSI caregivers had limited access to support services and incidents in which the children in their care have not had visits with their biological families, as the PSI caregivers have the legal authority to deny these visits.

Under the *Convention*, it is a fundamental right for children to be safe, protected and have contact with their families when safe to facilitate. As PSI caregivers are not subject to the same Ministry policies as foster care or any other out of home residential caregiver, there is limited capacity to protect this right of the child to maintain a relationship or contact with their parent unless the matter is taken back to court.

Legislative changes to ensure that children and youth are protected after being placed with a court designated Person of Sufficient

Case example –

Concerning issues with Person of Sufficient Interest (PSI) placements

Paige is a 12-year-old living in the care of a Person of Sufficient Interest (PSI). Concerns regarding the placement were reported to our office. We followed up with the Ministry and advocated for their workers to meet with Paige. While the Ministry reported no concerns with her care, our office identified that the Ministry had not completed a formal Annual Review on the PSI caregiver, contrary to Ministry policy.

When our office met with Paige she expressed her desire to return to live with her biological parent. We advocated for the Ministry to respect her wishes but they were unwilling to initiate a court hearing to have the PSI Order amended. Following our meeting, the PSI caregiver stopped Paige's visits with the parent with whom she wished to live. We advocated for visitation to continue but the Ministry advised they could not intervene as the PSI caregiver was the guardian and could make this decision for the child.

Paige's parent has now applied to the court to have the PSI order overturned. We referred Paige to the Counsel for Children, and she was assigned a lawyer. Paige's lawyer will ensure that her voice is heard in the court process.

This case represents a few issues of importance related to the PSI care of children and youth. First, is our deep concern regarding the lack of compliance to policies related to the Ministry's commitment to ensuring children with a PSI order are safe. Second, this child's visits with biological family were interrupted by the PSI caregiver, contrary to her right to have contact. Last, Paige's voice was lost in the system and as a result, she was not at the centre of planning. While our office mandate does not allow us to advocate for the parent to obtain custody of Paige, as this is a matter for the courts to decide, Paige now has legal representation to protect her right to be heard in judicial proceedings and to ensure her interests are considered.

Interest are needed. However, given the lengthy timetable for legislative renewal, the Advocate will continue to press for improvements to Ministry policy that enhance the oversight requirements in PSI caregiver agreements so that children and youth are seen more regularly and their care can be better monitored.

Finding Appropriate Resources for Children with Complex Medical Needs

Finding appropriate residential supports for children with complex medical needs continues to be a significant challenge for families. Sadly, there are still children languishing in hospital or long-term care facilities due to the significant lack of home based residential resources. While these institutions attempt to provide programming to meet the needs of the children, their size, physical environment and limitations faced by staff pose challenges for children in their care. For example, children can be left for extended periods of time in their beds or wheelchairs, while the staff respond to emergencies and other duties. Often times, recreational programming is left to the availability of volunteers at the hospital, as staff is tending to numerous other patients. Smaller, more intimate home-based resources in which the developmental needs of children do not have to compete with the physical care needs of other residents are much more conducive to the health, well-being, and social development of children.

For the past few years, our office has been involved in advocacy regarding the services available to children residing in a long term care facility. As a result of the opening of several home-based care facilities for children with complex medical needs, no new children have been placed at this long term care facility since February 2015.

Hope's Home [20] is one model which can meet the complex medical needs of foster children who require longer term residential care. Unfortunately, there are families who need this type of resource for their child who do not want to, and should not have to, place their children in foster care to obtain a placement in a home-based resource.

For some children residing in Hope's Home, the Ministries of Social Services and Health have collaborated to develop joint case plans and cost-sharing agreements to provide services to meet the their needs. We will continue to advocate for the Ministries of Social Services and Health to work together to provide services and appropriate residency for children with complex medical needs.

Case Example –

Advocacy services result in appropriate home placement for vulnerable toddler

Jody is a toddler with complex medical needs too significant for her family to manage. As a result, Jody lived in hospital most of her life, and the Ministry of Social Services became involved with Jody and her family.

When our office became involved, the Ministries of Health and Social Services were undertaking processes to transition Jody to more appropriate, home based care. These processes involved temporarily moving Jody to hospitals near potential caregivers while the care option was fully explored. This was a disruptive process to Jody and had the potential to negatively impact her condition.

When a suitable placement was ultimately found, the ministries disagreed on who had responsibility to fund the additional medical supports required for Jody's home based care. Our advocacy work included working through a collaborative process with the health region, the Ministry of Social Services, the First Nations Agency, and the Federation of Saskatchewan Indian Nations that resulted in an agreement to support Jody's care, and to provide opportunity for her to develop to her full potential. In the agreement, the Ministry of Social Services agreed to fund the cost of the home and the Ministry of Health agreed to fund her medical costs.

We continued to advocate for Jody as she was transitioned to her new home based care, ensuring that the resources and services were in place.

20. Hope's Home is a not for profit organization that provides a range of services for medically fragile children in Regina, Saskatoon and Prince Albert. Services include day care, respite care, transition care and supported living. Supported living services are provided to foster children who are placed by the Ministry of Social Services.

Concerning Conditions Affecting Youth In Custody

The Youth Criminal Justice Act makes specific reference to Canada as a party to the Convention in its Preamble, and says that young persons have "special guarantees of their rights and freedoms"

The Advocate's office undertakes individual and systemic advocacy for youth who are involved in the youth justice system. These young people are often very vulnerable and involved in high-risk situations.

Youth in the young offender system are entitled to high quality, individualized support and timely access to services under the *Convention*, whether they are in custody or under supervision in the community. They are also entitled to maintain contact with their family and to be treated in a manner consistent with their rights and best interests.

The United Nations also puts forward non-binding guidelines respecting youth rights in juvenile justice. These guidelines suggest accommodations should be in keeping with the rehabilitative aims of residential placement and their need for programming. They also suggest that in order to facilitate visits, the child should be placed in a facility as close to home as possible. [21]

The Youth Criminal Justice Act makes specific reference to Canada as a party to the *Convention* in its Preamble, and says that young persons have "special guarantees of their rights and freedoms." The Act specifically outlines the purpose of the youth custody and supervision system to contribute to the protection of society by assisting young persons to be rehabilitated and reintegrated into the community. Part of the Advocate's mandate relates to oversight of ministries to ensure services provision is consistent with these principles.

Saskatchewan Youth Crime and Incarceration Trends

According to data compiled by the Canadian Centre for Justice Statistics (CCJS), continuing a decade-long downward trend, the Saskatchewan youth crime rate fell 9% in 2014 to 11,816 youth accused of a *Criminal Code* offence (excluding traffic violations) per 100,000 youth aged 12 to 17. In spite of this decline, Saskatchewan continued to have the highest provincial police-reported youth crime rate in Canada in 2014 and was almost triple the national rate. [22]

Overall, the 2013-14 Saskatchewan youth incarceration rate was down 18% compared to the year before, and 40% lower than in 2003-04 (28). [23] The majority of youth involved with youth corrections, about 9 out of 10, are supervised in the community, primarily on probation, rather than in custody. [24] However, the 2013-14 Saskatchewan youth incarceration rate (17 youth in custody per 10,000 youth population) was still nearly triple the rate for 11 reporting Canadian jurisdictions (6 youth in custody per 10,000 youth population). Also noteworthy is the fact that Indigenous youth continue to be over-represented among youth in custody, both nationally and in Saskatchewan. [25]

The Saskatchewan Ministry of Justice, Corrections and Policing Division, reports 1203 youth in young offender community programs in 2015-16 (average daily count), with 895 on probation, 110 on deferred custody and community supervision, and 181 on other community sentences.

Provincially, Saskatchewan continues to have the highest rates of youth crime and the second highest rate of youth incarceration in Canada. This is symptomatic of the social determinants that contribute to youth offending and therefore, it is incumbent upon government to act urgently to move the strategies forward that will address these factors.

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21. Available at: United Nations, Committee on the Rights of the Child. General Comment No.10 – Children's rights in juvenile justice. 25 April 2007. CRC/C/GC/10

General Assembly resolution 45/113, United Nations Rules for the Protection of Juveniles Deprived of their Liberty, A/RES/45/113 (14 December 1990). Available at: un.org/A/RES/45/113

22. Canadian Centre for Justice Statistics (CCJS), Youth Crime in Canada, 2014 (Ottawa: Ministry of Industry, February 2016). See also CCJS, "Police-reported crime statistics in Canada, 2014," Juristat (July 2015).

23. CANSIM Table 251-0008.

24. CCJS, "Youth correctional statistics in Canada, 2013/14, Juristat (April 2015)

25. CCJS, "Youth correctional statistics ..."

Facility Review Flags Concerns

In 2014, the Ministry of Justice, Corrections & Policing announced its intention to close a number of youth facilities due to declining numbers of in custody youth. To guide its decision making, the Ministry contracted a Facility Review of all youth and adult facilities. The Facility Review identified that all of the facilities require significant capital investments for general maintenance, identifying that intake areas for youth facilities are in particular need of renovations to make them more welcoming to youth, visiting families, service providers and facility staff.

In particular, Kilburn Hall Youth Centre was deemed unsuitable for use as a dual facility housing both open and closed custody youth without capital investment to address the deficiencies. Prince Albert Youth Centre was found to have a number of deficiencies including insufficient space for programming, unsuitable space for new admissions, visits or housing. The review's final recommendations stressed that any changes to the current youth facilities needed to preserve the therapeutic and reintegration model that emphasizes community corrections and the need to enhance cultural programming, education and job readiness.

The Impact of Facility Closures

In March 2015, the Ministry of Justice, Corrections and Policing closed two open custody facilities: Yarrow Youth Farm in Saskatoon and Orcadia Youth Residence in the Yorkton area. The Advocate expressed significant concern about these decisions, as they appeared to contravene the intent, at least in spirit, of the *Youth Criminal Justice Act* to rehabilitate youth. The decision to close these facilities was made on short notice, without consulting with the youth affected, our office or other community partners. It appeared to be driven by the need for additional space in the adult system and as a cost saving measure; not by what would be in the interests of youth. Further, it was done without completion of the major capital investments identified as required in the Facility Review. Our office met several times with the Ministry and has spoken publicly to express our strong disagreement with these closures due to the anticipated consequences for the youth in these facilities. We maintain our position that the closures of these facilities was done so without regard for the interests of the youth and ultimately the Ministry agrees to disagree with our office on this point.

Kilburn Hall Youth Centre in Saskatoon, which had previously only served youth in secure custody, was modified somewhat to provide an open custody unit. While the renovations created a more home-like atmosphere in the unit, youth are subject to increased security measures than existed at Yarrow Youth Farm. For example, they repeatedly go through locked doors to access various units and are subjected to intense monitoring. The requirement for these security measures does not support the intent of an open custody sentence which promotes an environment conducive to rehabilitation and reintegration. Furthermore, they are not consistent with the principles espoused by *The Youth Criminal Justice Act* and international standards that youth should be subjected to the "least restrictive" measures possible while still serving the purposes of their sentences.

For female young offenders, the only closed custody unit is at the Paul Dojack Youth Centre in Regina and the only open custody unit is at Kilburn Hall Youth Centre. Female young offenders who are remanded to closed custody while awaiting a court appearance are often held in a holding cell in Kilburn Hall Youth Centre. The holding cells significantly restrict the youth's movement as they are much smaller than a regular cell. Holding cells contain a toilet and sink; there is no bed, desk or chair and youth sleep on a mat. While the practice is to ensure the female youth do not remain in holding cells for more than 48 hours, there are times, such as an upcoming court appearance, when there is no ability to quickly return them to closed custody at the Paul Dojack Youth Centre. When those circumstances exist and a female youth is in a holding cell for more than 48 hours, programming is to be provided. However, programming is not consistently offered as it is dependent on staff availability.

With only five custody facilities remaining in Saskatchewan, youth in custody are moving frequently between facilities to accommodate periodic demands when there is an influx of youth being sentenced or remanded. Youth serving longer sentences are regularly transferred further from their home community due to the need for space for short term remand placements. Moving a youth further way from their home community compounds the challenge as additional moves may be needed to access programming, specialized services or visits with family. Transfer to a new facility to arrange for visiting is dependent on the facility's count and may not be prioritized. It is not uncommon for a single youth to be transferred to and spend some time in every facility across the province in a short time, with both youth and staff spending significant amounts of time in transit.

The circumstances are not consistent with the intent and purpose of the *Youth Justice Criminal Justice Act* or the *Convention on the Rights of the Child*. Moving frequently compromises timely and ready access to programming and offend the *Saskatchewan*

The review's final recommendations stressed that any changes to the current youth facilities needed to preserve the therapeutic and reintegration model that emphasizes community corrections and the need to enhance cultural programming, education and job readiness

Case Example –

Repeated transfers compromise youth right to stability

Chris is a youth who is assessed as having a low range of cognitive functioning. While Chris was remanded to custody, awaiting his court matter to be settled, he was moved between youth custody facilities 13 times in a 12 month period. Overcrowding and court attendance were reasons cited for the transfers. Chris struggled with the frequent moves, did not understand the roles of the different workers involved with him and was unclear about the legal proceedings. Because he was confused and frustrated, he displayed disruptive behaviours and was often room confined and labelled as a youth with 'behavioural issues'. Our advocate consulted with the staff to assist them in their understanding of Chris' cognitive delays.

Repeated transfers impacted on Chris's ability to connect with staff which may have been able to help him manage his behaviours more effectively.

These transfers further exacerbated Chris' ability to function to his full potential, considering his cognitive functioning. If the current practices of youth custody facilities continue, repeated transfers are going to work against the overarching goals of rehabilitation and reintegration.

The move away from the youth model and the principles of re-integration laid out in the Youth Criminal Justice Act continue to compromise the rights of youth to these services

Children and Youth First Principles that speak to the 'best interests' of children and youth being given paramount consideration in any action or decision involving them. Spending time in transit and being moved repeatedly to new facilities with less opportunity for connection with family or community can be detrimental to efforts to rehabilitate youth and to assist their reintegration to society.

The Advocate is also aware that the rules vary between facilities. When what is allowed in one facility is not allowed in another, frequent moves compound the problems of confusion and stress for youth. In 2014, the Ministry of Justice, Corrections & Policing formed a Facility Level Review Committee to review and provide options of a common level system. The goal is to standardize practices province-wide for rule compliance and so youth know, and understand, the expectations for achieving greater privileges based on their behaviour. The Ministry has provided progress updates on this review but it has not been made a priority despite the reduction in the number of facilities and the increase in the frequency of moves between facilities.

These conditions have created a profound impact on the nature and operations of the Saskatchewan young offender system, which in turn has impacted the youth offenders in this province negatively. The move away from the youth model and the principles of re-integration laid out in the *Youth Criminal Justice Act* continue to compromise the rights of youth to these services.

Monitoring the Quality of Food Services

In August 2015, the Ministry of Justice, Corrections & Policing announced that food services in all its facilities would be privatized as a cost-saving measure. Since privatization has occurred, the Advocate has heard repeated concerns about the quality and quantity of food provided. In particular, youth reported food was undercooked, cold, or rotten and the portion sizes were too small, leaving youth hungry. Youth reported eating large amounts of bread and water just to feel satisfied.

The Advocate has asked the Ministry about the standards in place for provision of food and how the Ministry will monitor its contract with the private supplier. The Ministry has reported that the contract is to supply a menu based on Canada's Food Guide to Healthy Eating. The Ministry's place for monitoring will entail conducting a review of the transition to the new food services model, establishing central and local committees to address concerns and the hiring of a contract manager to address compliance with the contract. The Advocate plans to follow up to ensure that the nutritional requirements of youth are being met.

Future Challenges

With the building of the new Saskatchewan Hospital North Battleford (SHNB), the Ministry has announced the closure of North Battleford Youth Centre for 2018. With current facilities operating at capacity, one less facility will mean there is even greater need to transfer youth around the province and less ability for the system to make accommodations for visits with family and for service provision. These developments will have a direct impact on the Ministry's ability to respect the rights of incarcerated youth and falls contrary to their strategic plan for youth offenders.

Improving Access to Mental Health Services

Children and youth have a right to the highest standard of health services, under the *Saskatchewan Children and Youth First Principles*. However, through our advocacy and investigations, we continue to see that timely access to services is a major challenge, particularly in the area of mental health. This challenge was identified in the *Child Welfare Review* as a significant issue over five years ago.

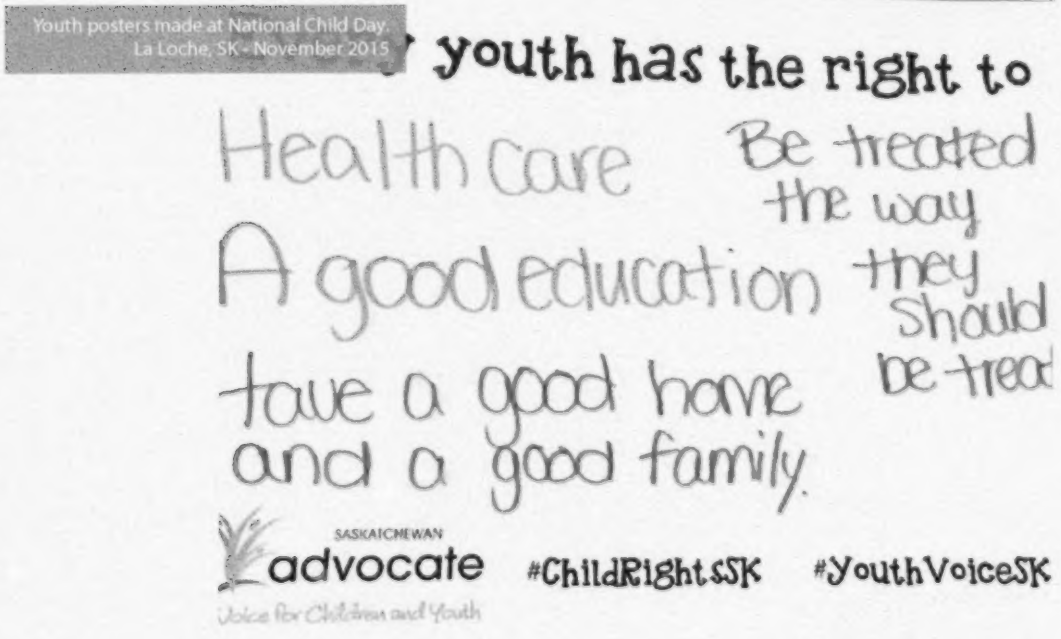
This is especially the case for children and youth residing outside our major urban centres and for many First Nations children and youth, residing in isolated northern communities. Mental health is an area where collaboration across ministries, and between ministries and community-based organizations providing services, is vital to ensure that children and youth are getting the services they need.

Ministries regularly refer clients to community-based organizations for mental health services. In our experience, these organizations are finding it difficult to provide the level of services needed, and require additional support and resources. We commend those mental health workers who are working hard in this environment to try to meet the needs of their clients.

We have been informed about long waiting lists for youth mental health services in some regions and other regions lack needed services entirely. For example, due to a shortage of mental health placements, some youth have had to stay in young offender facilities longer than necessary, as they have not been able to return to the community safely, and there is nowhere appropriate for them to be placed. Similarly, some youth have stayed in high-intensity mental health placements for longer than necessary, as other placements are unavailable. This means that these intensive services are not available for other youth. Finally, due to a lack of residential resources, parents may find that their children need to enter foster care to access the support services they need.

In our experience, and as has been reported to our office by professionals in the field, there is also a lack of sufficient training for those caring for children and youth with mental health issues, particularly staff in group homes and youth custodial facilities. We have been involved in situations where a staff member's lack of training has led to issues inadvertently being escalated by staff, rather than assisting a youth in dealing with the issue. Without this training, it is difficult for staff to deal appropriately with the very high needs of some children and youth. While the youth custody facilities do a good job connecting youth to qualified professionals, often times, the facilities do not have the capacity, resources or skill set to adequately work with these youth, resulting in the youth being placed separately in confinement for extended periods of time.

Youth posters made at National Child Day, La Loche, SK - November 2015



Putting the Mental Health and Addictions Action Plan Into Action

In December of 2014, the *Mental Health and Addictions Action Plan* [26] was released and was fully endorsed by the government. The plan is intended to guide efforts to improve mental health and addiction services over the next 10 years and consists of a series of recommendations that are to be developed into concrete actions with timelines, targets and funding.

It was our understanding that 2015-16 would be a planning year. However, there was no mention of the *Action Plan* in the 2015-16 provincial budget. Given that consultations were underway for the better part of a year prior to the release of the report, some funds could have been identified for addressing potential quick wins. The Advocate is concerned that now, over a year after the plan was released; "planning" continues and it is still not known what specific actions the government will take to address issues in mental health services for children, youth and their families over the next year or two.

The *Mental Health and Addictions Action Plan* recommended a system goal to focus on prevention and early intervention, through "build[ing] on existing programs that recognize the importance of healthy families and communities, and positive environments for emotional development." Families with young children need access to programs and services that support healthy development, including maternal mental health services, parenting education, respite, family resource centres, early learning programs such as licensed, developmentally appropriate childcare, and prekindergarten programs.

The Advocate is concerned that now, over a year after the plan was released; "planning" continues and it is still not known what specific actions the government will take to address issues in mental health services for children, youth and their families over the next year or two

Despite these needs being identified in the *Action Plan*, no funding was identified for new childcare spaces and there were no new resources for family resource centres in the 2015-16 provincial budget. Further, the government has not resourced full time kindergarten, despite evidence that it contributes to better outcomes for vulnerable children, and despite a supportive resolution from Saskatchewan School Boards Association that it be funded. Preschool programs that operate less than three hours a day or three days a week, which many young children attend, are not licensed or funded by the provincial government. Data gathered on 10,600 kindergarten children in 2011 using the Early Development Instrument (EDI) showed that about 30% of Saskatchewan children are "not fully ready for school" in one or more developmental domains associated with a readiness to learn [27]. It is well known that lack of early success in school is predictive of repeated failure to succeed and adjust, with the ultimate social and economic costs far exceeding the costs of appropriate intervention during preschool years.

More coordinated programs and services for young children and their families would provide an opportunity for children who are at risk of developing mental health issues to access more intense services. This is particularly critical for families involved in the child welfare system. In our special investigation *Two Tragedies: Holding Systems Accountable* (May 2014), "Sam" entered care when his mother expressed suicidal thoughts. Her mental health was not assessed, which would have clarified whether the threat was imminent and if it was necessary for Sam to be out of her care while awaiting the results of a Parental Capacity Assessment. Ultimately, families need to be able to access both prevention and early intervention services for children, youth and their parents, so that they can develop good mental health. Research demonstrates that children's mental health is strongly related to that of their parents, especially their mothers. Parents who are facing challenges with their own mental health have more difficulty meeting their children's needs.

The *Action Plan* recommended increased access to services for young children at risk, as well as programs and services that promote better emotional health in schools and other places where children spend time. It also recommended that the government partner with First Nations and Métis peoples in planning and delivering mental health and addictions services that meet community needs. [28]

We need to continue to focus on the systemic factors that place children and youth at risk. Addressing underlying risk factors such as poverty-related conditions, trauma and violence, mental illness, addictions and disabilities is critical to providing appropriate supports and services. Under the *Saskatchewan Children and Youth First Principles*, children and youth are entitled to the highest standard of health and education possible in order to reach their full potential. Without addressing these issues with accessible mental health services, we will not be able to uphold this right.

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26. Available at: http://www.saskatchewan.ca/government/news-and-media/2014/december/01/mental-health-action-plan

27. Fall 2013-14 EYE-TA Results, Saskatchewan 2013-14 EYE-TA results at Kindergarten Entry: Provincial Report. (November 2014)

28. Kendall-Taylor, N, Mikulak A. Child mental health: a review of the scientific discourse. Alberta Family Wellness Initiative,2009. Available from: http://www.albertafamilywellness.org/resources/publication/child-mental-health-review-of%C2%A0-scientific-discourse

Case Example –

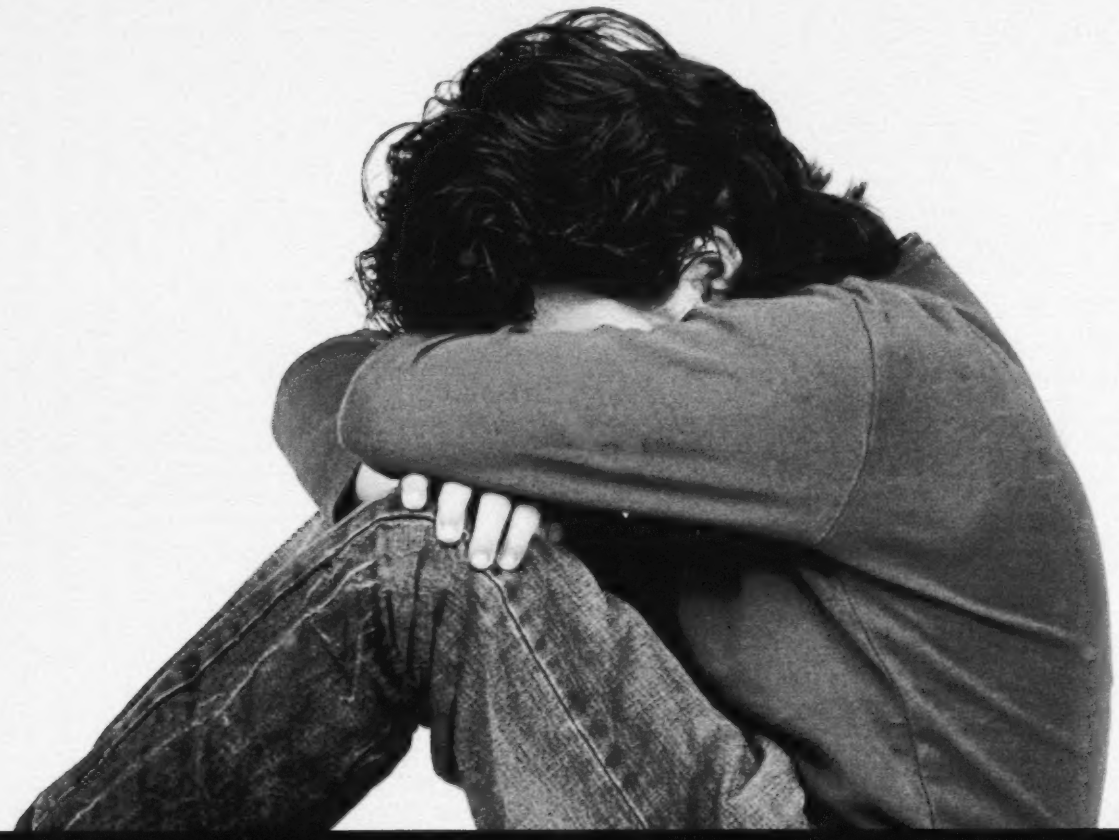
Individualized case planning and engagement make a difference

Ethan is a 16 year old youth, sentenced to a period of custody in a youth facility. Our office became involved with Ethan as a result of concerns related to him being confined for lengthy periods of time. At the beginning of his sentence, Ethan had difficulty adjusting and his behavior deteriorated, resulting in incidents of violence. Facility staff moved Ethan to a stabilization unit where he was segregated for his safety and that of other youth and staff. While on this unit, Ethan was confined to his room for the majority of the day, with the exception of one 15 minute shower, and one hour of exercise. His exercise consisted of walking around inside a very small designated space within the facility while wearing multiple restraints, and under the supervision of several staff. While on the stabilization unit, Ethan was charged with additional criminal charges for violent offences against others.

When we met with Ethan, he spoke about feeling like a caged animal. We were concerned that his behaviours, while a risk to himself and others, were being aggravated by continued segregation, in addition to compromising his mental health due to ongoing confinement and segregation. We advocated for the facility to develop an individualized case plan for Ethan to ensure consistent engagement with staff, and clear goals for good behavior. We wanted to ensure that Ethan's rights were respected and that the facility provided him the opportunity for rehabilitation by building a trusting relationship, teaching appropriate behavior and offering appropriate programming.

Our advocacy led to the implementation of the individualized case plan designed to meet Ethan's unique needs. This, along with collaborative planning between a psychologist and the facility staff, has resulted in Ethan now being permitted to be out of his room for longer periods of time with no restraints. He participates in cultural and recreational activities and has earned additional responsibilities on the unit. Our office will continue to advocate for progressive planning, with the goal of reintegrating Ethan back onto a regular unit.

When we met with Ethan, he spoke about feeling like a caged animal



Youth Transitioning Out of Government Care

Under Section 10 of The Child and Family Services Act, 16 and 17-year-olds can be provided with residential services and financial support providing the youth agrees to this voluntary program. The Advocate has found that workers may not adequately explain the benefits of this program to youth, particularly to those who may be cognitively impaired. The result is that youth will "sign themselves out of care" and lose the opportunities that are available to them

The Saskatchewan Child and Youth Principles state that all children and youth are entitled to have their best interests given paramount consideration in any action or decision involving them and to the highest standard of health and education possible in order to reach their fullest potential.

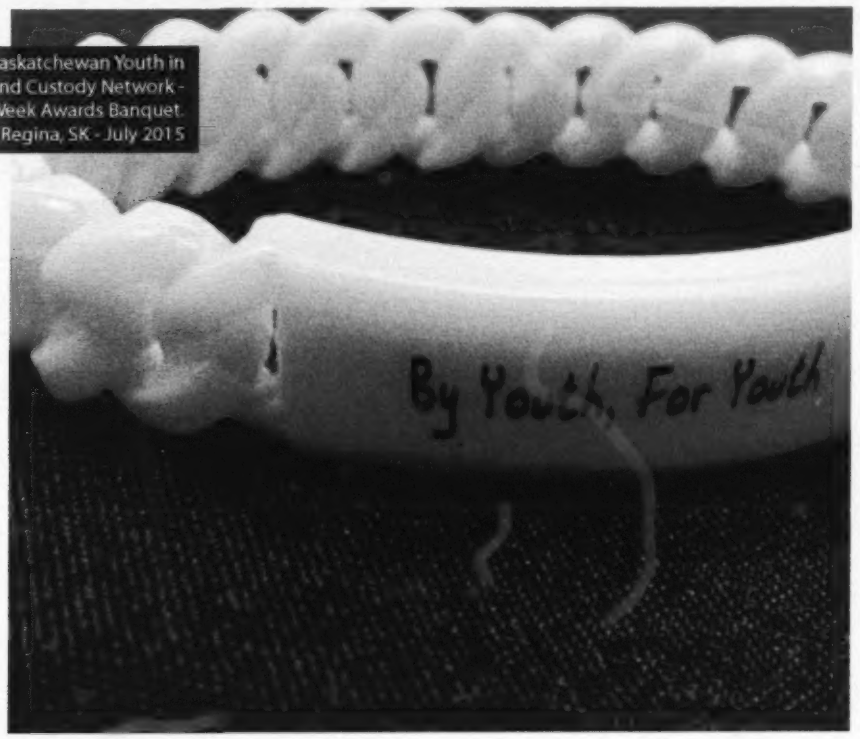
Under Section 10 of *The Child and Family Services Act*, 16 and 17-year-olds can be provided with residential services and financial support providing the youth agrees to this voluntary program. The Advocate has found that workers may not adequately explain the benefits of this program to youth, particularly to those who may be cognitively impaired. The result is that youth will "sign themselves out of care" and lose the opportunities that are available to them.

The Advocate has long noted that the expectations of these youth by the Ministry of Social Services and the First Nations Child and Family Services agencies exceed their level of maturity and readiness for independence. Under Section 10 Agreements, these young people are expected to be acting as adults, when both research on adolescents' development, and concerns reported to the Advocate, have demonstrated many are not ready for this level of decision making. Youth in care frequently do not have the benefit of a stable parental figure that has provided them with coping strategies or life skills and there is a need to ensure that each youth's maturity is assessed during case planning. This is one of our major unaddressed issues in child welfare and the future outcome for these youth is generally not very optimistic.

Youth in care who took part in qualitative research commissioned by the Ministry of Social Services in 2012 identified that they needed support with basic life skills, such as obtaining housing and employment, budgeting, and maintaining a household. Youth interviewed also said that they had little information about training and educational opportunities as they transitioned out of care.

Resources Developed for Youth and Workers to Ease Transition

To better support youth in care transitioning to adulthood, two provincial organizations have undertaken transition projects, both of which have culminated in developing handbooks to assist young people in transitioning out of care. The Saskatchewan Youth in Care and Custody Network (SYICCN) , in partnership with the University of Saskatchewan has been working on their *Youth in Transit: Growing out of Care* research project since 2008. This network is a non-profit organization that supports young people in government care, and is a "by youth, for youth" organization.



The Saskatchewan Youth in Care and Custody Network - Youth in Care Week Awards Banquet. Regina, SK - July 2015

In the Youth in Transit project, they developed culturally appropriate best practices for working with diverse youth and developed and pilot tested a print and online transition handbook for youth to help them develop and execute transition plans. The handbook contains modules on identification, health and well-being, housing and healthy living, money management and financial education, employment, education, healthy relationships, life skills, parenting, and youth justice.

In 2014-15, the Saskatchewan First Nations Family and Community Institute has undertaken a *Youth Transitioning Out of Care* research project to create a handbook for First Nations child and family service workers to help prepare youth to transition out of care. The institute is a professional service provider that conducts research, delivers training and develops policy and best practice standards for First Nations Child and Family agencies in Saskatchewan. Their handbook contains sections on emotional, spiritual, mental and physical health and transitions, as well as a section on financial planning for transitions out of care.

Together, these organizations held five one-day knowledge sharing workshops in spring 2015 to share these resources with stakeholders throughout the province. Staff from the Advocate attended these workshops, along with youth and support workers, and the Advocate is committed to sharing these resources with youth and support workers on an ongoing basis to assist youth in their transitions.

Universities Announce Postsecondary Funding During Second Annual Youth in Care Week

The Saskatchewan Youth in Care and Custody Network received funding from the Ministry of Social Services to celebrate youth in care week the second week of July 2015. The Advocate is grateful to the Ministry of Social Services for providing this funding, and the network for promoting it and organizing events across the province. Staff from the Advocate's office attended a number of these events.

During this week, the University of Saskatchewan and the University of Regina both announced scholarships for postsecondary funding for youth who have been in care to assist with tuition, books and living expenses. The Advocate had encouraged the provincial government to provide this kind of funding, and had been involved in discussions with the universities for these scholarships, along with the Saskatchewan Youth in Care in Custody Network. We are grateful that the universities saw fit to provide this funding, and we will be monitoring its uptake to see that these scholarships meet youth's needs.

Legislative Delays Prevent Comprehensive Services

While these resources and funding for education is part of some positive initiatives, changes to legislation are required that mandate the expansion of services. The Advocate has several outstanding formal recommendations that the Government of Saskatchewan make changes to *The Child and Family Services Act* to provide support to youth up to age 24 so that youth in care receive the level of resources and support they need to transition out of care. The Advocate has also recommended that the government develop and adequately resource a transition program to prepare youth for independence as adults through the provision of life skills training and appropriate financial, mentoring and peer supports, including mentoring from the Saskatchewan Youth in Care and Custody Network. There is also a need for youth on Person of Sufficient Interest orders to receive services and support around transition planning.

The Government of Saskatchewan has been engaged in renewing *The Child and Family Services Act* for several years, and the Advocate has been playing a substantive advisory role in this renewal. It is concerning that this process is so lengthy, as young people continue to age out of care without the supports they need.

Case Example –

Poor case planning leads youth to high risk behaviours

Anna is a youth who resided in a residential care facility. She voiced her desire to leave this residence when she turned 16 as she wanted to re-establish her relationship with her parent. She requested her worker at a First Nation Child and Family Services Agency (Agency) conduct a home study pertaining to her parent and, as a backup plan, complete a referral to a residential resource that supported independent living. Anna was frustrated that the worker did not complete these tasks in a timely manner and ran away from her residential placement to spend time with her family. She returned several days later, at which time our office became involved.

Anna's worker determined that since she had run away, she was not ready for an independent placement. The worker planned to return Anna to the care of extended family on her First Nation. Anna was not in agreement with this plan.

Our advocate met separately with Anna, staff from the residential facility, and the Agency worker. We advocated for the case plan to consider Anna's requests. Unfortunately, neither the home study nor the referral to the independent living resource were completed before Anna turned 16. On her birthday, Anna left her placement and moved in with her parent. The Agency provided minimal funding for her but declined to sign a Section 10 Agreement as she was not willing to follow their proposed plan. Anna was provided information regarding services offered by the Ministry of Social Services. Anna's placement with her parent soon broke down. She contacted our office to advise she was residing with friends and engaging in high risk behaviours, but was contemplating connecting with the Ministry to request supports.

This case demonstrates how poor case planning prevented Anna from accessing programming that could have helped her re-establish her relationship with her parent and assist her with a transition to independent living. When the youth's voice is not considered, often it leads them to making decisions that place them in vulnerable situations.

Saskatchewan Youth In Care and Custody Network - Child and Youth in Care Week Awards Banquet, Regina, SK – July 2015

Budget and Staff

Budgetary Expenditures	2014-15 Budget	2015-16 Budget
Personal Services	$1,804,000	$1,808,000
Contractual Services	$330,000	$360,000
Advertising, Printing & Publishing	$32,000	$33,000
Travel & Business	$101,000	$102,000
Supplies & Services	$7,000	$8,000
Capital Assets	$17,000	$17,000
Budgetary Total	$2,291,000	$2,328,000
Statutory Expenditures		
Personal Services	$232,000	$226,000
Statutory Total	$232,000	$226,000
Total	$2,523,000	$2,554,000

Advocate and Staff (at December 31, 2015)

Advocate for Children and Youth: **Bob Pringle**

Program Manager, Advocacy and Public Education: **Leeann Palmer**

Program Manager, Systemics, Investigations and Research: **Lisa Broda**

Advocates:

Joanne Denis

Marcia Gerow

Jocelan Ireland

Meredith Newman

Cheryl Starr

Chandra LePoudre

Jacqueline Peters (on leave)

Melanie Zimmer (term)

Investigators:

Connie Braun

Marci Macomber

Karen Topolinski

Systemic and Policy Advocate:
David Gullickson

Director of Administration:
Bernie Rodier

Human Resources and Administration Consultant:
Dan Harder

Executive Administrative Assistant:
Caroline Sookocheff

Administrative Assistants:

Colette Duffee

Wanda George (term)

Jennifer Kovar (on leave)

Tammie Larocque

Presentations to Children and Youth in Custody

Drumming Hill Youth Centre,
North Battleford

Kilburn Hall Youth Centre,
Saskatoon

North Battleford Youth Centre,
North Battleford

Orcadia Youth Residence,
Yorkton

Paul Dojack Youth Centre,
Regina

Prince Albert Youth Residence,
Prince Albert

Yarrow Youth Farm,
Saskatoon

Presentations to Children and Youth in Care

4 Directions Child & Family Services
Stabilization and Assessment Inc.,
Muskowekwan First Nation

Bethany Group Home, Salvation Army,
Saskatoon

Core Neighbourhood Youth Co-op,
Saskatoon

Crystal's Home,
North Battleford

Downtown Brown's Youth Shelter,
Street Culture Kidz Project,
Regina

Dube Centre Youth Meeting,
Saskatoon

Eagles Nest Youth Ranch
Emergency Receiving Home,
Prince Albert

Eagles Nest Youth Ranch Homes,
North Battleford

Eagles Nest Youth Ranch Homes,
Prince Albert

Eagles Nest Youth Ranch Homes,
Saskatoon

Egadz,
Saskatoon

Fresh Start,
Swift Current

Gamin Abet Child Home,
Moose Jaw

Gamin Abet Youth Home,
Moose Jaw

Gemma House, Salvation Army,
Regina

Grace Haven, Salvation Army,
Regina

John Howard Society,
Saskatoon

J.T's Home,
Swift Current

Leading Thunderbird Youth Lodge,
Fort Qu'Appelle

Margaret's Place,
Saskatoon

Onion Lake Child and
Youth Group Home,
Onion Lake First Nation

Quint Youth Lodge,
Saskatoon

Pamiyisohk – Steps to
Independent Living Inc.,
North Battleford

Peter Ballantyne Child and Family Services
Prince Albert

Prince Albert Friendship Centre
and Food Bank

Prince Albert Grand Council Group
Home Cottage
Prince Albert

Prince Albert Native Coordinating
Council Peer Home,
Prince Albert

Rainbow Youth Centre,
Regina

Ranch Ehrlo Society,
Saskatoon

Ranch Ehrlo Society, Alex Guy House,
Buckland

Ranch Ehrlo Society, Klassen House,
Buckland

Ranch Ehrlo Society, Mitchell House,
Pilot Butte

Ranch Ehrlo Society, Rorrison House,
Pilot Butte

Ranch Ehrlo Society Student Council,
Pilot Butte

Ranch Ehrlo Society, Matheson House,
Prince Albert

Ranch Ehrlo Society, May House,
Saskatoon

Ranch Ehrlo Society, Welke House,
Saskatoon

Saskatoon Tribal Council
Children's Home,
Saskatoon

Saskatoon Tribal Council
Oskayak wikiwaw,
Saskatoon

Saskatoon Tribal Council
Pewasayaw Home,
Saskatoon

Saskatoon Tribal Council Safe House,
Saskatoon

SIGN Group Home,
Yorkton

Sundance Haven Home,
Prince Albert

Thomas' Home,
Regina

Turning Leaf,
Regina

U-Turn,
Moose Jaw

U-Turn,
Regina

Valley Hill Youth Treatment Centre,
Prince Albert

Yorkton Transition Homes,
Yorkton

YWCA Youth Peer Support Home,
Prince Albert

Presentations to Government or Delegated Agencies' Staff and/or Board Members

Ministry of Social Services

Child and Family Services,
Fort Qu'Appelle

Child and Family Services,
Lloydminster

Child and Family Services,
Meadow Lake

Child and Family Services,
Melfort

Child and Family Services,
Moose Jaw

Child and Family Services,
Nipawin

Child and Family Services,
Prince Albert

Child and Family Services,
Regina

Child and Family Services,
Rosetown

Child and Family Services,
Saskatoon

Child and Family Services,
Swift Current

Child and Family Services,
Weyburn/Estevan

Ministries of Social Services
Core Training,
Prince Albert, Saskatoon and Regina

Ministry of Justice, Corrections & Policing

Kilburn Hall Youth Centre,
Saskatoon

North Battleford Youth Centre
Induction Training,
North Battleford

Paul Dojack Youth Centre
Induction Training,
Regina

Prince Albert Youth Residence
Induction Training,
Prince Albert

Young Offender Program,
Lloydminster

Young Offender Program,
Meadow Lake

Young Offender Program,
Moose Jaw

Young Offender Program,
Nipawin

Young Offender Program,
Prince Albert

Young Offender Program,
Swift Current

First Nations Child and Family Service Agencies

Agency Chiefs Child and Family Services,
Spiritwood

Athabasca Denesuline Child
and Family Services,
Black Lake First Nation

Battleford Tribal Council Child
and Family Services,
North Battleford

Lac La Ronge Child and Family Services,
La Ronge

Meadow Lake Child and Family Services,
Flying Dust First Nation

Montreal Lake Child and
Family Service Agency,
Montreal Lake First Nation

Nechapanuk Centre Child
and Family Services,
Red Earth First Nation

Onion Lake Family Services,
Onion Lake First Nation

Peter Ballantyne Child
and Family Services,
Peter Ballantyne Cree Nation

Qu'Appelle Beardy's & Okemasis
Child and Family Services,
Fort Qu'Appelle

Saskatoon Tribal Council Child
and Family Services,
Saskatoon

Touchwood Child and Family Services,
Punnichy

Wahkotowin Child and Family Services,
James Smith Cree Nation

Yorkton Tribal Council
Child & Family Services,
Yorkton

Other Government

Athabasca Health Authority,
Stony Rapids and Black Lake First Nation

Child and Youth Mental Health Services,
Cypress Health Region,
Swift Current

Child and Youth Mental Health Services,
Five Hills Health Region

Child and Youth Mental Health Services,
Kelsey Trail Health Region

Child and Youth Mental Health Services,
Prairie North Health Region

Dube Centre, Ministry of Health,
Saskatoon

Early Childhood Intervention Program,
North Battleford

Father Porte Memorial Dene School,
Black Lake First Nation

Kitchener Community School,
Regina Public Schools,
Regina

La Loche Community School,
La Loche

Parkridge Centre, Ministry of Health,
Saskatoon

Prairie South School Division,
Moose Jaw

Prince Albert Grand Council
Urban Services,
Prince Albert

Regina Public School Division,
School Counsellors Meeting,
Regina

Regina Public Schools, Social Work Team,
Regina

Rural Early Childhood Coalition,
Spiritwood

Community-Based Organizations

11UI,
Regina

Canadian Club of Regina,
Regina

Concern for Youth,
North Battleford

Crisis Nursery,
Saskatoon

Egadz,
Saskatoon

Envision Counselling &Support Centre,
Weyburn

Family Futures,
Prince Albert

Family Service Regina,
Regina

Friendship Centre,
La Loche

Healthy Mother, Healthy Baby Program,
Saskatoon

Hope's Home,
Saskatoon

Hudson Bay Family and Support Centre,
Hudson Bay

Joe's Place,
Moose Jaw

John Howard Society,
Saskatoon

Kids in Transition Shelter, YWCA,
Regina

Lloydminster Community Youth Centre,
Lloydminster

Newo Yotina Friendship Centre,
Regina

North East Early Childhood
Intervention Program,
Tisdale

Prince Albert Friendship Centre,
Prince Albert

Prince Albert Native
Coordinating Council,
Prince Albert

Ranch Ehrlo Society, May House Staff,
Saskatoon

Ranch Ehrlo Society, Welke House Staff,
Saskatoon

Saskatchewan First Nations Family
and Community Institute, First Nations
Group Home Staff Training,
Prince Albert

Saskatchewan Youth in Care
and Custody Network,
Moose Jaw

Saskatchewan Youth in Care
and Custody Network,
Regina

Saskatchewan Youth in Care
and Custody Network,
Saskatoon

Sexual Assault Services of Saskatchewan,
Saskatoon

Socialization, Communication and
Education Program for young children
and their families Centre,
Regina

SPOKES Family Resource Centre,
Kindersley

Street Culture Mentorship Team,
Regina

Thomas' Home,
Regina

Turning Leaf,
Regina

West Central Crisis and Family
Support Centre,
Kindersley

West Central Early Childhood
Intervention Program,
Kindersley

Conferences, Speaking and Public Engagements

4 Directions 15th
Anniversary Celebration,
Regina

5th Annual Children's
Haven Winter Classic,
Big River First Nation

601 Open House AIDS Saskatoon,
Saskatoon

A Conversation with Dr. Marie Wilson,
Truth and Reconciliation
Commission of Canada,
Saskatoon

Agency Chiefs and Family
Service Family Camp,
Chitek Lake

Aids Saskatoon,
Saskatoon

Athabasca Denesuline Therapeutic
Group Home Grand Opening,
Black Lake First Nation

Best Practice in Child Legal
Representation Conference,
Calgary

Canadian Council of Child and Youth
Advocates (CCCYA) Conference,
St. John's

Canadian School Boards
Association National Congress,
Saskatoon

Chance to Speak Poverty Documentary,
Saskatoon

Child Find Charity Breakfast,
Saskatoon

Children's Discovery Museum
National Child Day Event,
Saskatoon

Directors of Child Welfare National
Committee Meeting,
Moose Jaw

Eagles Nest Youth Ranch
Annual River Run,
North Battleford

Egadz 25th Anniversary celebration,
Saskatoon

Family Support Program Conference,
Saskatoon

Federation of Saskatchewan
Indian Nations Awards & Gala,
Saskatoon

Federation of Saskatchewan Indian
Nations Legislative Assembly,
Whitecap First Nation

Federation of Saskatchewan Indian
Nations Youth Legislative Assembly,
Saskatoon

Fetal Alcohol Syndrome Disorder Awareness Day, Métis Addictions Council of Saskatchewan, Saskatoon

Fetal Alcohol Syndrome Disorder Network Annual General Meeting, Saskatoon

First Nations Family Support Working Group Annual Caregivers Conference, Saskatoon

First Nations University, Social Work Students, Prince Albert

First Nations University, Social Work Students, Saskatoon

Great Plains College, Youth Care Worker Program, Saskatoon

Heartland Health Region Grand Opening of Kerrobert and District Health Centre, Kerrobert

IAMNOT4SALE App and Website Launch, Saskatoon

Kanaweymik Youth Conference, North Battleford

Kindersley Youth Council, Kindersley

League of Educational Administrators, Directors and Superintendents Summer Short Course, Waskesiu

Meadow Lake Tribal Council Child and Family Services Caregiver Conference, Cochin

Mental Health and Addictions Program, Mamawetan Churchill River Health Region, La Ronge

Ministry of Social Services Foster Families Appreciation Events, Estevan, Meadow Lake, Melfort, Moose Jaw, Nipawin, North Battleford, Prince Albert, Regina, Saskatoon, and Yorkton

Montreal Lake Child and Family Services, Foster Family Appreciate Banquet, Prince Albert

Montreal Lake Children in Care Christmas Party, Montreal Lake First Nation

Montreal Lake First Nation Camp Hope Grand Opening, Montreal Lake First Nation

Moose Jaw Early Years Conference, Moose Jaw

Multicultural Council of Saskatchewan Board of Directors, Regina

National Aboriginal Day Celebration, Paul Dojack Youth Centre, Regina

National Aboriginal Day Celebration, Kilburn Hall Youth Centre, Saskatoon

National Aboriginal Day Celebration, North Battleford Youth Centre, North Battleford

Onion Lake Child and Youth Group Home Grand Opening, Onion Lake First Nation

Positively Red Aids Gala, Saskatoon

Prevention Matters 2015 conference, Saskatoon

Prince Albert Family Expo, Prince Albert

Prince Albert Grand Council Women's Commission Honouring Our Sisters and Brothers Memorial Walk, Prince Albert

Provincial Family Support Committee, Saskatoon

Ranch Ehrlo Awards Night, Prince Albert

Ranch Ehrlo Awards Night, Regina

Ranch Ehrlo Chili Cook-off, Martensville

Ranch Ehrlo Society Annual Northern 3-Mile Race, Martensville

Ranch Ehrlo Winter Festival, Buckland Rural Municipality

Reconciliation Changing the Narrative and Inspiring Innovation, Saskatoon

Rise Up Against Domestic Violence, Prince Albert

Sakicawasihk Gold Eagle Casino Pow wow, North Battleford

Saskatchewan First Nations Family Support Working Group Conference, Saskatoon

Saskatchewan Legislative Internship Program, Regina

Saskatchewan Teachers' Institute on Parliamentary Democracy, Legislative Assembly, Regina

Saskatchewan Youth in Care and Custody Network events, Fort Qu'Appelle

Saskatchewan Youth in Care and Custody Network events, Saskatoon

Saskatchewan Youth in Care and Custody Network Awards Banquet, Regina

Saskatchewan Youth In Care and Custody Network Knowledge Sharing Days on Youth Transitioning Out of Care, Saskatoon, Prince Albert, Regina, Yorkton, Meadow Lake

Saskatchewan Urban Municipalities Association (SUMA) Convention

Saskatoon Community Youth Arts Program, Urban Canvas, Saskatoon

Saskatoon Family Child Care Home Association Inc., Saskatoon

Saskatoon Police Services Youth Advisory Committee, Saskatoon

Speak Out Saskatoon! Youth Forum, Saskatoon

Spirit of Treaty Round Dance, First Nations University of Canada, Regina

SPOKES Family Resource Centre Grand Opening, Kindersley

Str8 Up Conference, Saskatoon

Sturgeon Lake Child and Family Services Accreditation Celebration Event, Prince Albert

Sturgeon Lake Child and Family Services Feast and Round Dance, Saskatoon

The 2015 Woodrow Lloyd Lecture Presented by Dr. Cindy Blackstock

Touchwood Agency Tribal Council Spring Challenge, Whitecap First Nation

Truth and Reconciliation Commission of Canada Closing Events, Ottawa

Truth and Reconciliation Feast, Sturgeon Lake Child and Family Services, Sturgeon Lake

University of Regina, Masters of Social Work Class, Regina

University of Regina, Nursing Students, Saskatoon

University of Regina, Social Work Students, Regina

University of Regina, Social Work Students, Saskatoon

University of Regina, Sociology Students, Saskatoon

University of Regina, Social Work Students, Yorkton

University of Saskatchewan, Department of Pediatrics Grand Rounds, Saskatoon

University of Saskatchewan, Global Health and Human Rights, Saskatoon

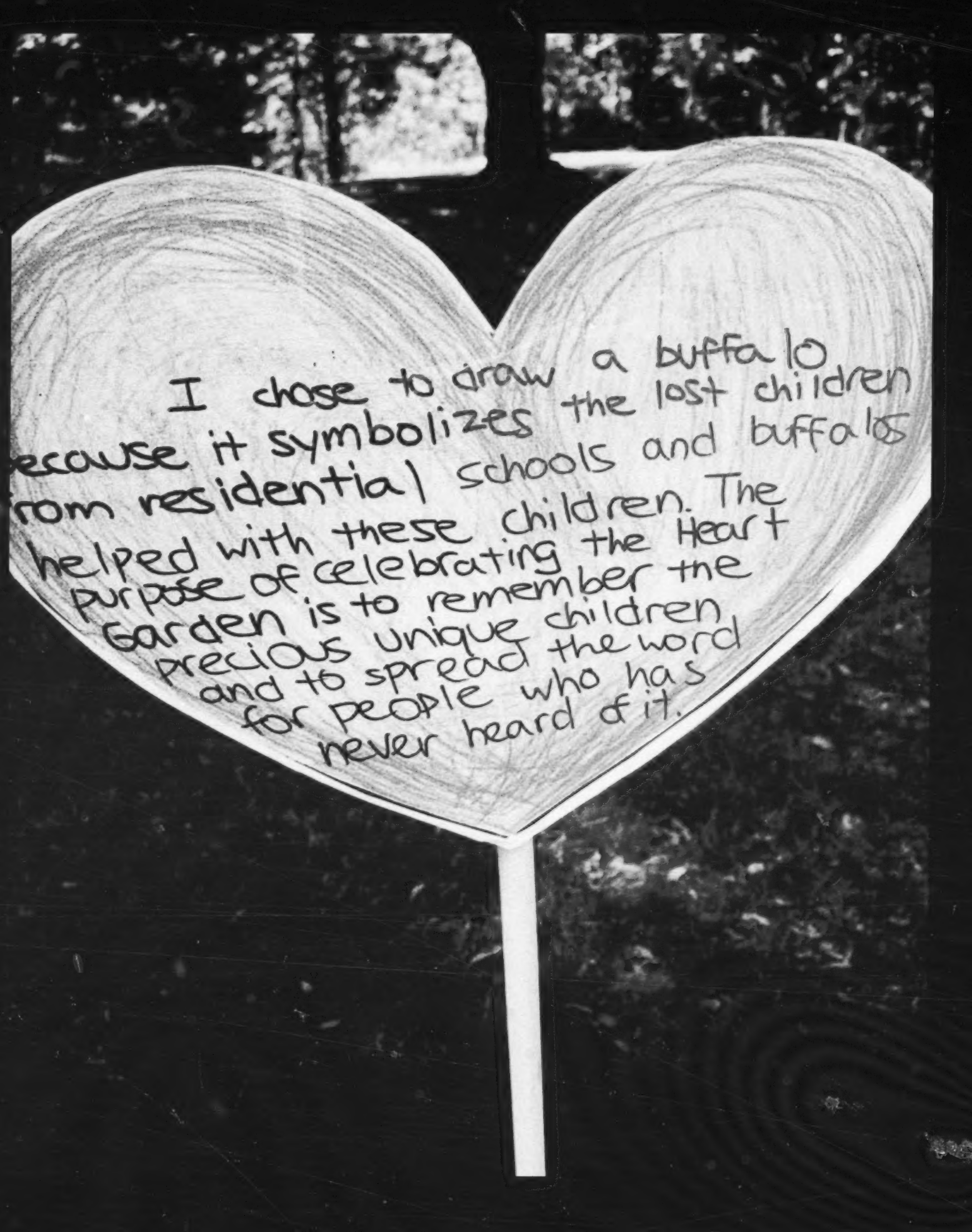
University of Saskatchewan Graduation Pow wow, Saskatoon

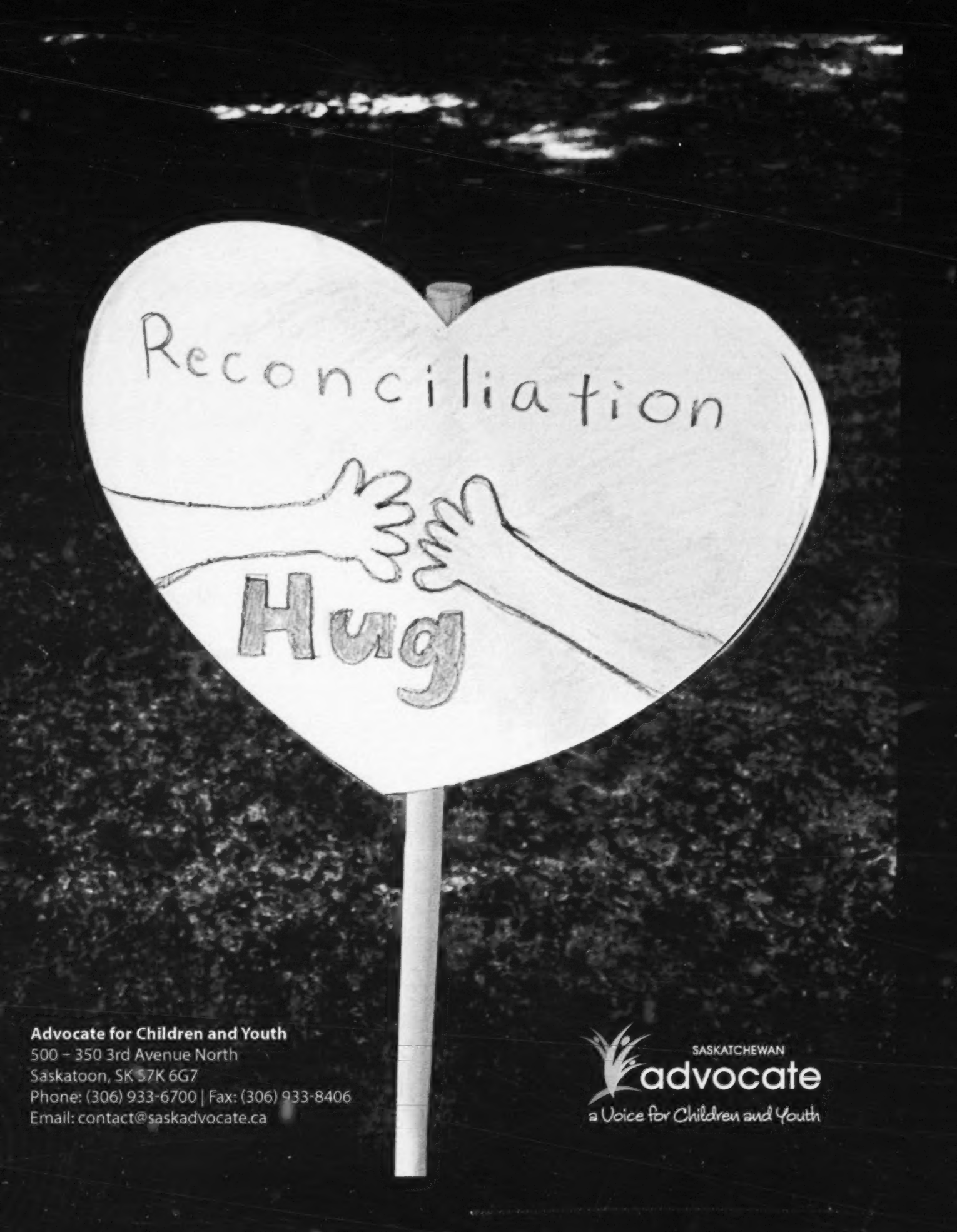
Wanuskewin Days Cultural Celebration and Pow wow, Saskatoon

Whitespruce Cultural Advisory Gathering, Yorkton

Wicihitowin Aboriginal Engagement Conference, Saskatoon

Yarrow Youth Farm Closing Ceremony, Saskatoon


I chose to draw a buffalo
because it symbolizes the lost children
from residential schools and buffalos
helped with these children. The
purpose of celebrating the Heart
Garden is to remember the
precious unique children
and to spread the word
for people who has
never heard of it.



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SASKATCHEWAN advocate
a Voice for Children and Youth